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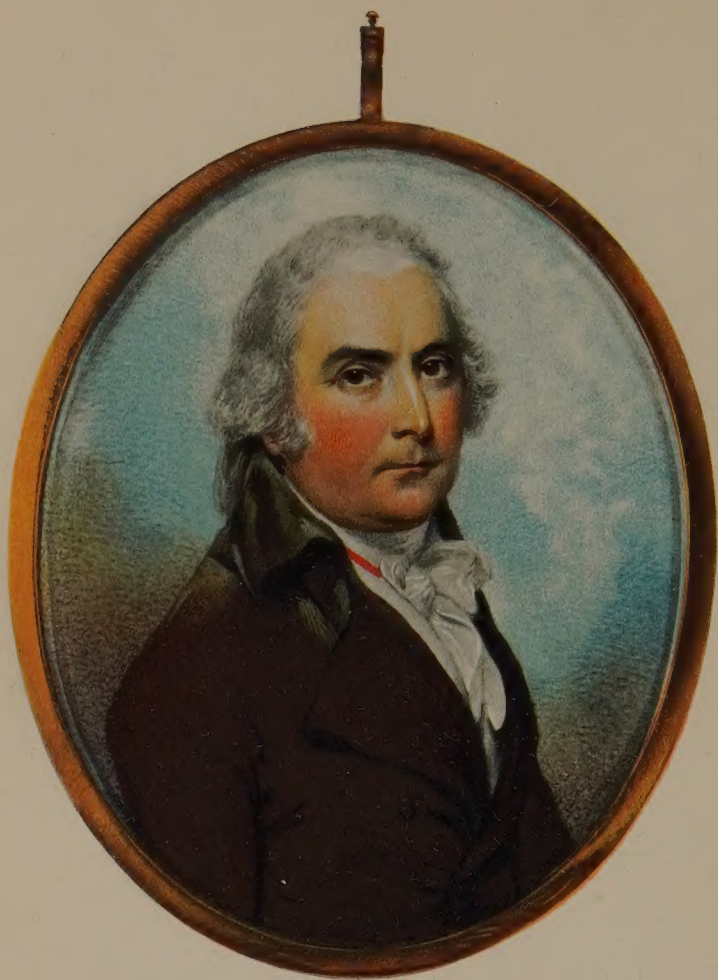
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For

IRA ALLEN
Founder of Vermont
IN TWO VOLUMES

VOLUME I



Ira Allen

*From a miniature painted between 1793 and 1798 and
owned by the University of Vermont. The artist is unknown.*

IRA ALLEN

Founder of Vermont

1751—1814

BY

JAMES BENJAMIN WILBUR

With Illustrations



VOLUME I

BOSTON AND NEW YORK
HOUGHTON MIFFLIN COMPANY
The Riverside Press Cambridge

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PREFACE

WHILE the New England Colonies during the colonial period were more or less independent states, their government was shaped and largely controlled by English laws.

The New England system of township units was introduced into Vermont through the Crown Governor of New Hampshire granting land in that territory. New York, when it laid claim to the same territory, endeavored to establish the system in vogue in that Colony of the larger or county unit, and in eastern Vermont gained a strong hold of nearly one half of the State under a system that was undemocratic as viewed by the New England Colonies. New York, granted to the Duke of York, who afterward became King, was to be divided into great estates and managed by a central government. New England, granted to companies and societies, was as far as possible to be governed by the small units. It was to this difference that Vermont owes her existence. It will always be a moot question whether Benning Wentworth had any authority to make grants of land west of the Connecticut River, but he did make them, and he followed the method of the town unit. In granting a new town he set apart a portion of the land to the 'Society for the Propagation of the Gospel in Foreign Parts.' When complaint was made to the King and Council that the Crown Governor of New York claimed the territory and was granting the land that the Crown Governor of New Hampshire had granted, the King and Council naturally inclined to befriend their favorite government of New York. One strong evidence of this is that the agents of the settlers who went to England in 1766 with a petition containing several hundred names of supposed settlers on the west half of Vermont were never given an opportunity of presenting it. There was presented a short petition setting forth the grievances of the settlers; but not until the S.P.G.F.P., which was part of the Established Church of England, appeared and protested that the Governor of New York had made no provision for them in his grants, while the Governor of New Hampshire had given them a certain portion of every twenty-

three thousand acres comprising a town that he had granted, did the King and Council order the Governor of New York to make no more grants. It was this act, undoubtedly instigated by the Church, that gave the settlers in the western half of Vermont the courage and determination to resist New York's further settlement of that territory and governmental control over them. New York controlled the courts in the eastern half of Vermont, which was a strong barrier between the western half and New Hampshire, where the government was in the extreme eastern part of the State. Thus the settlers on the west side of the range of mountains that divides Vermont in half were compelled to rely on their own resources. They defied the government of New York, but not the King. Thus this strip of land bordering New York was governed by Committees of Safety until 1770, when New York, becoming more aggressive, endeavored to dispossess some of the settlers. It was then that a band of men was formed known far and wide as the 'Green Mountain Boys,' and they ruled the western half of Vermont for five years. They drove the Yorkers out, and no New York official dared to serve them with papers.

It was the Green Mountain Boys, under the leadership of Ethan Allen from 1770 to 1775, who, with no thought of so doing, laid the foundation of Vermont.

The Republic of Vermont, which in 1791 became the fourteenth State, owed its existence to the statesmanship of Ira Allen and a few compatriots.

Searching the early records of Vermont, it was not difficult to discover that the man who had done more than any other man in creating the State of Vermont was comparatively unknown. Because of his inherent self-effacement it was soon realized that adequately to set forth his services his career must be traced through the course of events. If this could be done it was felt that his name would forever be engraved on the face of Vermont. Ira Allen's great services to Vermont and to the United States, as revealed by the researches, forced the conviction that it was a sacred duty to undertake the writing of his life, a life that forms the major part of the history of Vermont for the first ten years of its existence.

While the historians, writers, and educators of Vermont for the past hundred years have expressed the wish that some one would write the life of Ira Allen, none of them ever attempted

it, and the task fell to the lot of an adopted son of the State with no previous experience in such matters. The research has been extensive, covering a period of eight years, in the libraries in the United States and the public archives of England, France, and Canada, and the facts given are from original sources or official documents. The latter at times slow up the narrative, but have been deemed necessary to give the reader an opportunity of forming an opinion on some historical events in which Allen was the prime mover and upon which historians have disagreed for over one hundred years. Where possible Allen has been allowed to tell his own story. No pains or expense have been spared to ascertain the particulars with a scrupulous exactitude.

When one considers how Allen, in London in 1797, part of the time confined in a debtors' prison for a small debt, wrote from memory the best political history of Vermont ever written, and when one reads a few of the remarkable letters, published for the first time in these volumes, that he wrote to Talleyrand and others while ill and confined in the worst prison in Paris during the Revolution, it should prove conclusively that it was his hand that wrote the important letters and documents that made Vermont a free republic for nearly fourteen years. No other man who assisted him in creating Vermont has left any record of such marked ability as is shown in the composition of the letters and public documents that emanated from his hand.

A surveyor, soldier, statesman, and extensive business man, one of the largest land-owners in New England and one of the wealthiest men in the United States in 1795, he held for years the most important offices in Vermont, Treasurer and Surveyor-General, but never, so far as the records show, profited by either. His extensive land-holdings were largely acquired by purchase before the Revolution. Although of gentle disposition and humorous on all occasions, he fostered a fear of the Vermonters, not only in the British establishment, but in the leaders in the States surrounding Vermont, and caused Washington to doubt whether he could induce his army to subdue her.

Allen's contest with the high courts of England, in which he won his case after many years, is further evidence of his great ability. His service to humanity in founding in 1791, by a gift

of four thousand pounds, the University of Vermont, would alone entitle him to our veneration and the best efforts to honor his memory. Many comparatively poor boys received their education there who have been of great service to the world. Among them were Henry J. Raymond, who founded the *New York Times*, to-day the greatest newspaper in the world, and Mr. H. O. Houghton, who founded The Riverside Press and the great publishing house that, appropriately, is publishing this work.

JAMES BENJAMIN WILBUR

MANCHESTER, VERMONT
March, 1928

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My thanks are also due to Miss Sarah M. Allen, granddaughter of Ira Allen, who gave the beautiful miniature of her grandfather to the University of Vermont and furnished me with the picture of her grandmother. To President Guy W.

ACKNOWLEDGMENTS

Bailey, of the University, I return thanks for the privilege of reproducing the miniature in these volumes, and for many other courtesies.

JAMES B. WILBUR

MANCHESTER, VERMONT

March, 1928

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The title-page device is from the Ira Allen half-dollar issued in 1927 to commemorate the sesquicentennial of the Battle of Bennington.

ALLEN GENEALOGY

(1) SAMUEL

came over in 1630 with the Dorchester Company; settled in Dorchester; was in Windsor, Connecticut, in 1640, and was buried there, April 28, 1648. Left seven children.

(2) NEHEMIAH, son of Samuel

lived at one time in Salisbury, Connecticut; married September 21, 1664, Sarah Woodford, at Northampton; died January 27, 1684. Left an estate of £420, 8s. Had nine children.

(3) SAMUEL, son of Nehemiah

born January 3, 1665/6; married at Northampton, Massachusetts; removed to Deerfield, Massachusetts, in 1705, thence to Coventry, Connecticut, in 1713; died October 14, 1718, leaving estate. Had nine children.

(4) JOSEPH, son of Samuel

born in Deerfield, Massachusetts, October 14, 1708; married March 11, 1736/7, Mary Baker at Woodbury, Connecticut. He had removed with his parents to Coventry and again with his widowed mother to Litchfield, Connecticut, in 1720. In 1740, he removed to Cornwall, Connecticut, where he died April 4, 1755. Had eight children. Possessed one third of mother's estate.

(5) IRA, son of Joseph

born April 21, 1751 (old style), May 1 (new style), as recorded in town record of Cornwall, Connecticut; married Jerusha Enos, born February 6, 1764, and died May 16, 1838. He deeded the township of Irasburg as a dowry to her in September, 1789. He died in Philadelphia, January 15, 1814. Had three children. His wife was the daughter of General Roger Enos, of Simsbury, Connecticut, and Jerusha Hayden, of the Hayden family of Windsor.

CHILDREN OF IRA

Ira Hayden, born July 19, 1790, in Colchester, died 1863 in Irasburg; Zimri Enos, born 1792, died Colchester, August 22, 1813, aged twenty-one years; Maria Juliette, born May 22, 1794, died at St. Albans, Vermont, August 18, 1811.

IRA ALLEN

Founder of Vermont

∴

AUTOBIOGRAPHY

‘IN June, 1796, in Paris, I began the History of my life; giving an account of my parents, the death of my father on the 19th of April, 1756, in the third year of my age; with an account of my brothers and sisters.’² What is to follow ‘was begun March 25, 1799’ [in Pelegé Prison, Paris].

In September, 1769 [eighteen years old], I assisted my brother Heman and Levi to purchase 350 store hogs; and on the 14th of October, set out to drive them from Salisbury, in Connecticut, to Hatfield Equivalent, to fatten on beech nuts. On the morning of the 19th of October, I set out to drive them through the wilderness from Williamsburg, where there was no road, nor even a line of marked trees. We began the drive as soon as day light appeared. A cold rain soon commenced, and by the sunrise, every bush or limb of a tree was covered with ice, and a tremendous rain with hail ensued, so that every man was wet to his skin; except Heman Allen, who from his weakly constitution kept on horse back, well covered with cloths. The severity of the storm benumbed both man and beast to that degree that we made slow progress in our march. For convenience we divided our drove into three divisions. Abner Owen assisted me with the first. It being necessary for us to make a small stop for the rest, Owen was so benumbed and fatigued that he sat down to rest and instantly went to sleep, when I was obliged to give him several strokes with a stick to provoke him to exertion. Soon after this, we came to a bridle

² This manuscript was left with Doctor Isaac Mosely, of 9 Summer Street, London, and has never been found. Charing Cross Station in London now occupies the site of 9 Summer Street.

road, marked trees, &c., from East Hoosac to said Hatfield Equivalent. Five miles from Mr. Macintire's, we left our drove and made the best of our way to his house. When we had gained about half the distance Edward Akins gave out and was put upon the horse beside my brother. A little before dark we found the house of Mr. Macintire, although we had little more than a line of marked trees to follow, from which another line branched off. After a great part of the company had passed the line leading to the house, the direct line was discovered.¹ After arriving there Mr. Akins, who had for some time been held on the horse, was carried into the house, and some warm milk and supper was given him. After three times administered, he had sense and strength enough to make signs for more, and was restored to health.

This shows the effect of cold and fatigue on the human frame, without being in the least frozen. In case any person in such circumstances has not firmness of mind enough to keep in exercise to assist decaying nature, if they sit down to rest, they will fall into sleep from which, without assistance, they will never awaken. Had the aforesaid company passed the line of marked trees to Mr. McIntires, and been necessitated to pass the night in the wilderness, they were so wet and cold, that they could not have made any fire and must of course have perished. Those who bore the cold and fatigue best were much benumbed especially after fording a small brook, which, at common times, had not one foot of water, but now was swollen to four feet high, and hail and snow was over shoes. This was one of the severest storms ever known in that climate.

I made my home at McIntires and took charge of said hogs. It is to be remembered that hogs are strange animals. If not attended to they will, in a few days, get as wild as the beasts of the field. But by being seen once in a few days, and salted like cattle, they may be kept tame, and will grow or fatten as fast on beech nuts, as on any food that can be given them.

About the first of January, near 150 of said hogs, that were the best, were driven to Albany, and were good pork and sold at a high price. The remainder were kept in the woods till a deep snow on the 16th of February. They were then driven to Sunderland on Connecticut river, and kept on corn till near

¹ The self-effacing way Allen always recorded his own efforts.

the first of April, when 200 more hogs were brought on, and all driven to the woods and kept on beechnuts till about the first of June; and then driven to Albany, and answered for good pork at a great profit. I attended to the business through the whole.

Some particulars that happened in the course of said business with the hogs, viz. Mr. and Mrs. McIntire were from Scotland, and had two daughters about 24 years of age. The old lady and daughters used to amuse me by telling many frightful stories respecting ghosts, apparitions, &c., appearing to people in Scotland; amongst which were many stories respecting an old woman appearing without a head. One evening I challenged the old woman without a head, and all the ghosts &c, to meet me at any time and place they chose. This exceedingly alarmed my honest landlady and daughters, and they all seemed exceedingly anxious for my safety, for being so presumptuous as to make such a challenge; not doubting but that I should meet with difficulty the first time I was belated in the woods. In the evening the next day, I found that a part of the hogs had been strayed away and become wild. With all the art I had, I could not get them so gentle as to come to them till near dark, at which time I was at least three miles in the wilderness. There was then a snow on the ground about four inches deep. I made the best of my way to gain a foot path from Mr. McIntires to a beaver meadow. In the way I passed thickets of hemlock &c, under which it was dark. I cut a staff about three feet long to defend my eyes &c, from limbs that might come in my face. In this way I found the foot path, in which several horse loads of hay had been carried, from the meadow to the house, which had mixed leaves, snow, &c., so that I could discover the foot path for 20 rods before me. At this time, for the first time that night, I thought of the old woman without any head, at which I had a hearty laugh to think which would turn out if we met in that narrow path. I thought no more of the matter till I had reached about one mile, when, to my no small surprise, at about eight rods distance, I discovered the perfect appearance of a woman in the path, without any head. Her shoulders, waist, arms akimbo, her hands on her hips, womans clothes and feet below were in perfect shape before me, which I viewed with astonishment. I reasoned to myself is this appearance fictitious or real. If the

God of nature authorizes apparitions, there is no flying from them. What injury can they possibly do me. I have promised faithfully not to flinch at any such appearance. I will see it out. On this determination, I kicked the snow away, that I might know where I made the discovery; and then advanced with my cane in my hand for a blow as soon as I arrived near enough. With trembling approaches, I came within about thirty yards, before I discovered the cause of such an appearance. The facts were that a tree had been broken by the winds, leaving a stump, which the woodcocks had pecked the bark off in that shape so long ago that the wood had become whitish, and the bark of the other part had just fallen off. The darkness of the night prevented me from seeing the dark contour, while the reflection of the snow showed the other part of the stump; forming the size and figure of a woman without a head. Had it been a little lighter, the whole stump would have been seen; or a little darker, and no part could have been seen. To satisfy myself, I went back to where I kicked away the snow, and the old woman appeared again in perfect shape. I occasionally passed that place frequently after, but not at a time, when such an appearance could be discovered. Had I been frightened and run away, I might like others, have believed in such appearances. Parents ought never to frighten children, or suffer it to be done by others, by such stories. It causes a certain intimidation, when in the dark, that is hard to get the better of when come to years of discretion.

The snow storm had commenced on the 16th of February continued incessantly for three days, till the snow was three feet and a half on the level. The third day of which I was in the woods and found that the hogs could move but little, and it was hard for me to walk in snow mid thigh deep. That evening, I procured a pair of snow shoes, and for the first time I ever had snow shoes on my feet. I set out in the gray of the morning for Mr. Mitchels the first house in Arshfield, eight miles, by a line of marked trees, where I soon arrived and took breakfast. I proceeded to Conway where I hired a horse and rode to Deerfield, and applied to purchase corn. I was offered 100 bushels at fourteen pence per bushel, but, could engage no more at that price. I discovered a combination to raise the price of corn. I therefore went to Muddy Brook, and not being successful there, I proceeded to Sunderland, where I con-

tracted for 300 bushels an old house and barn for the hogs at deacon —. I returned to Arshfield, and hired Mr. Mitchel &c., to go with cattle, horses &c., to break a road to the hogs and got them all safe to Sunderland, where I found the price of corn was raised. But getting information of some rich farmers about five miles out of town, I contracted with them for sufficient for my use to be delivered at deacon — at the same price. On my return to town I called at a public house, kept by Capt. Warner where I had been informed that people who did not appear in good habits, were much imposed on. Being in my woods dress, a beardless youth, for amusement, undertook to try the Land Lady's manner of treating poor people, by first calling for a small glass of rum, with as much diffidence as possible. Putting my hat under my arm, I stood partly in the corner, as some gentlemen sat before the fire. A very little New England rum was handed to me. I then asked in a bashful tone for some dinner. I observed the old lady looked sharp at me, and proceeded to prepare some dinner, which consisted of some old fragments, mostly bones, dry crusts of bread &c. The whole appeared to have been, for one week, often warmed and brought to the table, with a pint of cider. I sat down at the table so that the people in the room could see my movements. I made myself some diversion in tumbling over the old bones &c. I then took two half Joes out of my pocket, laying them on the table without attempting to eat a mouthful, asked for my bill observing that I expected it would be high, as I was sure that the cooks had been at least one week preparing my dinner, and that I would pay the bill and go into town, and kill one of my hogs for dinner. At this the landlady was much alarmed and made many excuses and soon furnished a good dinner. This was amusing to the company, as they were inhabitants of the town &c, with whom I spent an agreeable afternoon. At the next election for Inn-keeper, that house was put down.

After driving the last of said hogs to Albany, a few being scattered in the woods, I returned back to McIntires and my horse ran away from me. I concluded that he would try to find the way to his old home. I therefore took my bridle in my hand and set out on foot to get ahead of him and advertise him. I had sundry advertisements written and small nails to put them up. On Sunday near night I came to Mr. Todds in

East Hoosac, who kept a public house, and was a preacher. After making inquiry for my horse I nailed up an advertisement, and was about leaving the house, when I was ordered not to travel on the Sabbath day, & learnt that Mr. Todd was also a Justice of the Peace. On which, it being nearly night, and I being unwell with the fever and ague, I thought it advisable to submit to the law and put up for the night. In the morning I gave Mr. Todd a piece of gold to change for my bill. He turned it several times in his hand, apparently considering how to get the most of it, when I was ordered to pay a fine for breach of Sabbath, of ten shillings.

Against this I remonstrated, observing that I had complied with the law by peaceably stopping when required although I was in search of a horse that had straid away, which was customary to look for, and allowed by scripture &c. Briliancy of the gold exceled my arguments, and the fine was insisted on. I demanded and got my change, refusing to pay my fine, and set out on my journey. As I went out at one door, I perceived that the Justice ordered some men to stop me. The Justice' oldest son Eliecum Todd got into the road some distance before me. I picked up a club to clear my way, but finding four men in pursuit of me, I considered it advisable to submit and went back before the Justice who put me under keepers. I still refused to pay my fine. A committimus was threatened to send me to prison. Several people of the town came in, who, I saw, thought strange of the proceedings. I found the Justice also was uneasy and he offered to throw in all the costs of the keepers, &c. The fear of loosing my horse, &c., induced me to pay my fine. I put on my hat in order to go, when the Justice began to give me a lecture for disorderly behaviour, ordering me to take off my hat and attend to what he said. To which I answered that all travellers had a right to wear their hats in the bar room of a public house, and if I had broken any law, I had paid my fine and was at liberty. The Justice continued his lecture, when I observed that I paid Mr. Lee of Salisbury for preaching. On this, I was again put under keepers for contempt to authority. Much altercation passed and I was again threatened with a prison; to which I cordially consented to go, observing that it would carry me almost home, and that I would send to my brothers to give bail &c. The Justice offered to release me if I would make a confession; to which I agreed,

if he would tell me what to confess to. The Justice being willing to get rid of me, as several people were present and he dared not send me to prison, informed me of a long story to confess to. I began as he directed, but soon had forgotten what he had told me, when he repeated it again. I began again, but forgot a part of the last when he again repeated it to me. I then went through the whole, adding that I acknowledged I was guilty of original sin. Seven miles from that, a daughter of Mr. Todd was married to an innkeeper, where I called and related the whole story much to the disadvantage of Mr. Todd. His son in law soon informed him thereof. He sent his son to Mr. Noble in Williamstown to get a writ for me. I was at a friends house and saw his son pass. I suspected his business and got my friend to inform him of the state of the business on which he refused giving a writ. My horse was taken up two months after in Williamstown on one of my advertisements.

Soon after going from Sunderland with the care of the hogs, I was taken with the fever and ague, which complaint I was unacquainted with, and my business required me every day in the woods. I persevered till I had the seventh fit in the woods which was so severe while the fever was on, I was so weak that I was obliged to crall on all fours up one sharp pitch of hill in Charlemount (as I had taken a different place on account of the snow going early off.) That evening, my brother Heman came to see me. The day but one following, being my fit day, while in bed contemplating how to get clear of ague, I felt my fit coming on some hours earlier than common, I took it in my head to bathe in a mill pond near the house. I arose, put on but few clothes, putting a blanket over me, and hastened to the pond, which was thick with anchor frost. I stripped off my clothes, ran out on a log with a determination to dive three times into the water. I dived twice, and when I got the second time on the log, my feet were so numb that I could scarcely feel the log. I hastened to my clothes, and with trembling limbs got them on, and made the best of my way for the house, at first slow, but a little exercise gave motion to the blood, and in going ten rods to the house, began to sweat smartly. I sat a few minutes by the fire & went to bed, and sweat powerfully for about six hours which broke my fits of the ague. I have to remark that this was too harsh for my constitution, especially

to dive a second time through anchor frost where the water was about ten feet deep. Perhaps but few constitutions would have borne the shock to have got out.

I returned from Albany to Salisbury to my brothers, where I rested a short time. My sister Lydia, who was married to John Finch and lived at Goshen, was sick and I went to her assistance. After sitting by her three days and nights without sleep, some medicines were ordered by her physicians that could not be had nigher than Esopus in the then colony of New York, being about sixty miles. I set out express, changed horses several times, and got the medicines. On my return in the silent watches of the night, I fell asleep on my horse and was awakened by his stopping at a pair of bars out of the road. The night being cloudy I was quite at a loss which way to go. However I set out and was right. I arrived with the medicines early next day, but my sister died in a few days after.

My mother about this time was taken with a fit of the nerve palsey in Goshen, and lost the use of one side. I was attentive to her more than a month. When her physicians judged she could bear moving in a carriage to Salisbury, Heman insisted, and we carried her to Salisbury where she enjoyed a tolerable state of health for several years.

About this time, (although a minor) I sold my share of the estate of my honored Father deceased for £48, and gave a deed of the land. In the Fall I purchased some rights of land in Poultney, (now Vermont) I viewed Castleton, Hubbardtown, and learned that Capt. Isaac Searles of Williamstown was a large proprietor in Hubbardton, who was then in Boston. I returned to Salisbury.¹

In 1771, my brothers Heman and Levi Allen,² began a large branch of business in dressing deer skins by milling, and making leather breeches, Levi having been in the Indian trade to Maumetown 700 miles N. westerly of Detroit. They had procured leather dressers and breeches makers, natives of Ireland, who were too fond of strong drink and could not be trusted alone at a fulling mill. I went with Michael Flin to Mr. Ensign's fulling mill, at the head of Canon Falls in Housatonnuc River, being the first time I was ever in such a mill. It had very little in its construction. We arrived there late in the

¹ This apparently was Ira Allen's first visit to Vermont. The fall of 1770.

² Heman Allen was then thirty-one and Levi twenty-six years of age.

day & just set the mill to work; & then having secured our leather, & fastened the doors for safety, we slept in the mill. In the gray of the morning Flin got up and set the mill again to work. In a few minutes the mill was out of order. Flin shut the water gate and stopped the mill; but had not ingenuity enough to find what was out of order. From the operation, I judged where the defect was, and while Flin was by my side, I jumped from the floor into the water. When I had looked under and seen what was out of order, I rose and looked onto the floor and Flin was missing. The floor being even with my shoulders, as I stood on the water wheel between the arms, I instantly clasped my hands on the floor and leaped upon it, and was at a loss whether my feet struck the floor first, or the water the wheel, for Flin a stupid fellow not noticing where I was, had drawn the water gate. Had I not leaped from the wheel the instant I did, I should undoubtedly have lost my life; for the wheel had but just room to turn between the rocks, where a place had been cut for that purpose, and the water from the wheel soon fell down the falls over rocks 72 feet in height, being the whole height of Canon Falls, if my memory is correct. I repeatedly attended to the milling of leather and gained the whole knowledge of that mode of dressing, as also allum dressing, which preserves the fur, making white, soft leather, for ladies muffs, trimings for cloaks, &c.

In the course of this time and I agreed to be concerned in purchasing lands together, and went in search of said Capt. Searles, and purchased from him 32 rights of land in Hubbardtown, which from our small earnings and industry, as aforesaid, we paid for, giving sixty four pounds for the lands, about 10,000 acres. We had also purchased four rights in Castleton. In the Fall of 1771, I set out to get the town lines of said Hubbardton run, to lay out part of our lands. I agreed with Capt. Remember Baker of Arlington to assist me. When we arrived in Castleton, we were informed that the West and North line of that town had not been run. The inhabitants of Castleton would not assist us, nor inform me where they had laid out lands in Castleton, as they were about making some other pitches, which they ment to accomplish before I laid out my lands, lest they might interfere with the four rights we owned. I was therefore necessitated to run two lines to Castleton to find Hubbardton; which Baker and I proceeded with

some assistance to do. On the North side of Castleton, on Sucker Brook, I discovered an excellent tract of intervalle, in Castleton. On careful inspection, finding no lines we surveyed this, with some other lands near to our rights, to the great mortification of some people in Castleton, as they supposed those lands to have been in Hubbardton. Continuing our line to Meeds brook, we cut off fifteen hundred acres of land surveyed for Castleton, which added to the vexation of Castleton people. I then proceeded to lay out some lots in Hubbardton. In a few days, Baker and I projected the project to learn the quantity of the lands to the North; and the distance to the old Crown Point road, a road cut by the provincial troops about the year 1759, from Crown Point to Charleston No. 4. To effect this, I was to take five days provisions in my pack and set out alone, while Baker, with his son a boy 12 years old, was to make a camp about two miles from where we were on Sucker Brook, where I was to find him and proceed to run some cross lines. We parted to accomplish our objects. I took a little gun with me, more for the purpose of making fire, than hunting. It had been some days loaded; yet I thought so little of killing deer, that I did not discharge it. The day was calm, and the leaves so dry that a man might be heard to walk at forty rods distance. After continuing march about four miles, I discovered a large buck at about 14 rods distance. His head was down (in pursuit of a doe as I suppose) which prevented his discovering me till I was preparing for a shot at him, as he stood fair broadside. I brought my gun to bear on him, and fired as it was rising. The powder being damp, the buck leaped off unhurt and stopped in a small hollow, from which he would come in sight within twenty rods. I therefore prepared for another shot, extremely vexed at having my gun so out of order. I turned down a charge of powder, and then a ball, which stopped when one third down. I then drew my ramrod to push down the ball, but it stuck so tight that I drove my gun-stick many times with all my might to get it down, which I effected. At this instant, the old buck advanced toward me. By the time I could prime, he came in full sight, and stopped behind trees, so that I had about eight inches of his body to shoot at. To shoot him through the guts would be of no use to me. I must therefore cut his back bone, or all was soon lost. I leveled for it, and had the good fortune to break his back at

about eighteen rods distance. I loaded my gun and advanced to him. His hind parts were useless on the ground; but he stood on his forefeet. Having only five charges of powder, I did not choose to spare another on him. I set down my gun, and drew a small knife and took him by the horn, and turned his head round, and put my knife to cut his throat. As soon as it cut the rough thick skin, he gave his head a shake that threw me a rod and wrenched my left arm much, and I lost my knife, so that it took me some time to find it. I then made at the buck again, when he set his hair foreward, changing the color of his eyes to a frightful hue. I took hold of the point of his horns, but found he braced so hard that I could not turn them one inch, notwithstanding he had the largest horns I ever saw, that gave considerable purchase. He often turned his head with such sudden motion and force, that the prongs of his horns would go through a man, which completely guarded his neck, as his horns were larger than my arm. I therefore shot his brains out; and then loaded my gun and set it down. Just as I was taking his head off, stooping down, I heard a noise like a deer stepping in the leaves. For fear of scaring him, I raised myself very slowly & looking sharply where I supposed I heard the noise, I discovered another buck at about 14 rods looking right on me. The difficulty was then to get my gun at three steps distance I made so slow and careful moves, stepping in the leaves wet with blood, roots, &c., to prevent noise. I took my gun with so slow motion that the buck did not perceive me stir. When I had my gun near my face, cocking it gave him the apparent motion of a kind of start. I fired at him, when he leaped off. I perceived he failed in one of his fore legs. I loaded my gun and went to the place, and found fine hair, and a knob of hair drove into a stump. Pursuing on the tract about six rods, I saw a gore of blood, and at about twelve rods found him dead, with his head towards me. The ball had gone through his heart, yet he ran twelve rods. The ball flinched as it passed his shoulder blade. I drew this buck to the other, and took off his skin & hung up the venison with my hat over it to preserve it from ravens &c., and returned to Baker and found him near dark making his camp.

Baker had also a singular encounter. He found it necessary to measure a line a short distance over a high ridge. He took the fore end of the chain, tally sticks & hatchet, with his com-

pass, with which he was much incumbered. As he went down the hill, he saw at the root of a tree, some signs as though there were raccoons there. As he came close to the tree he discovered a bear's paws in the hollow. The bear attempting to come, Baker dropped his compass &c. and took his hatchet in both hands; but in attempting to bring it back for a blow, he was prevented by a bush, when coming forward, faster than he expected, instead of striking her in the head, struck her in the neck. She started back with difficulty & Baker got out the hatchet, for it was in her neck to the helve, and had cut some large blood vessels. Every time Baker could get a stroke at her, he did, till she bled to death. He then got the body out of the tree, skinned, and hung up the meat. Thus ended the adventures of the day.

Baker and I continued our surveys till we were out of provisions, though we had stores at Castleton, several miles distant. Our arrangements would take three days to complete. Baker being an old soldier in the former French war, thought to drive me out of the woods to bring provisions from Castleton, by saying he could live very well on fresh bear meat, without bread, salt or sauce, three days to accomplish our business. Then I answered if he could live so, I could. Neither would be the first to give back; and we got supplies of said bear meat roasted, and ate for three days, completed our business and returned to Castleton.

I returned to Salisbury and spent the winter in dressing leather for my brothers as aforesaid, until about the first of March, when I undertook to learn the Surveyors art. I spent Seven days with a Master, when some other business took me off. I was taken with the Measles, but knew not what the breaking out was; and being an early riser, and going out in the cold before people were up, I drove them in, and knew not what ailed me for six days. Three of the last I was riding in a sleigh against a high wind, which exceedingly injured my eyes. The measles left my blood out of order. My eyes were so weak that I could not study on the Surveyors art, nor read, nor could I bear the reflection of the sun on the snow. I consulted Doctr. Port, who advised me to put a green Silk over my eyes, and recommended for a short time to keep from the day light, or any bright light. In compliance, I shut myself in a small room, and brought to the window shutters so close that I could

scarcely perceive when it was day. At night, when the candles were out and the fires raked up, leaving only a few coles, I used to walk the other rooms, and sometimes out of doors. In this way I continued for seven days, and found great advantage to my eyes. I kept from the light most of the time, omitting to read or look steadily at any thing for near a month, and then I set out for Hubbardton, wearing a green silk over my eyes.

In May, 1772, I reached Bennington & while stopping a little there, an express arrived from Heman Allen, informing that governor Tryon, with British troops, was on his way from New York to dispossess the people of the New Hampshire grants of their lands. This news was sent by express by some Quakers in New York, interested in said lands. The British troops had just before interfered in land disputes on Baitman's Patent in opposition to Pentergrass, and taken him; and he had been condemned to be hanged by the Supreme Court of New York. These circumstances confirmed said report. A meeting of the Elders of the people and officers of the Green Mountain Boys was held at Mr. Brackenridge's when a unanimous vote passed to oppose Tryon. But the manner of defence was quite a question, till the old people agreed to furnish the necessary Supplies and retired. A vote then passed to send one man to Albany, to hear Govr. Tryon in person, and some of his first officers, their numbers and movements, and then to return & give information. He was then to be joined by six sharp shooters, and make the first attack on Tryon some distance from the line of Bennington, &c. I was appointed ¹ to go in to Albany on that business. I was furnished with the best horse for bottom and speed, and went to Albany. After some delays, I found that the facts were that some British Troops were wind-bound in the river eight miles below Albany — that Tryon was not with them — their destination was to relieve the garrisons of Detroit &c,— on which I returned to Bennington, and the military operations were suspended.

I then proceeded with Captain Baker to Hubbardton. He assisted me in running some lines in the course of which we got out of provisions. We then wanted to stay about two and a half days. Baker feeling stomach-full about eating bear meat

¹ This was his first selection by the Green Mountain Boys, on an important mission. He was then twenty-one years old.

as aforesaid, undertook again to try me by observing that he could catch suckers in the brook, roast and eat them without bread, salt, or sauce for two or three days; to which I cheerfully agreed. We went to the brook, and, with crooked stick instead of spears, caught fish, roasted and eat them. In this way we stopped two and a half days and then went to Castleton. The fish operated on Baker like physic, so that he was but just able to get into Castleton, when he roundly swore that he would never again try such measures with me. I then commenced Surveyor for myself, and never after went to a master to learn a rule, but made several rules, which are recorded in my old woods book.

I laid out some lands for myself in Poultney and returned to Hubbardton and proceeded to lotting the lands owned by my brother and myself. I was afflicted with boiles till quite lame, by the number of boils on one leg and ankle, and was obliged to quit business. The next day after an express arrived from Captain Warner, giving an account of Mr. Cockburn, a New York Surveyor's being gone to survey in the Northern woods some where, and desiring me to learn if possible where he was gone. I took D. Remington's horse and himself with me, and went through the woods near to Crown Point, to some inhabitants, and learned that Cockburn was gone to Onion river. I then returned in the old Crown Point road to Col. J. Mead's in Rutland, where I met an express from Capt. Warner. I gave him information of Cockburn and he returned full speed to the post in Castleton. I met them on the way and was extremely mortified that I was so lame that I could not go with them. I went to Mr. A. Walton's, after being advised to go to Doctr. McDaniels by Warner and Baker, who had viewed my leg, which was greatly swollen and of different colors, purple &c. This was about the middle of the afternoon, and very hot weather. It was more than thirty miles to McDaniels — little more than a line of marked trees, & he an old infirm man that could not come to me. I questioned in my own mind whether a mortification would not take place before I could reach Doctr. McDaniels. I therefore resolved to be my own physician till next day at least. I applied a milk curd, turned with alum, to my leg, which I repeated several times. I sent and got some old beech leaves, the bark of male elm and the bark from bass wood roots — pulverized them between stones — steeped

them in cold spring water and applied them to my leg cold. By changing these two sorts of poltices repeatedly during the night, in the morning, my leg appeared a little better and I continued my own physician till it was well.

While lame, I contemplated the extent of the New Hampshire Grants, and probable advantages that might arise by being contiguous to lake Champlain, and determined to interest myself in that country; as soon as able to ride.¹ I set out to purchase some lands in the towns contiguous to Onion river, that were owned in Connecticut. At Bennington I met with my brother Ethan, who exerted himself to discourage me; yet I proceeded to Salisbury, and informed Heman of my intentions. He also advised against it, observing that I had not property to make payment, or commence settlement. I proposed obtaining credit for the lands I purchased, and to undertake some Job of surveying to defray the expence of exploring the country. At length Heman gave me a letter of credit for two hundred pounds and I proceeded and purchased 52 rights of land and got bonds for six rights more on payment. I also contracted with the proprietors of Mansfield to run the outlines of the town, lay a division of 50 acres to each right and build six possession Houses for ninety pounds to be paid on the return the survey, plan, &c., late in the fall. I then returned to my brother and gave him up my recommendation, as I had done this business on my own credit. I saw my brother appeared pleased with my enterprise, and asked how I expected to procure stores &c., to make the survey. I observed that I should contrive some way for it; although I had little more money than to carry me back. In the morning, as I was taking my leave, Heman handed me 32 dollars, observing that I might remit it, when convenient, (this and the letter of credit was without my solicitation). I then proceeded with good courage. At Arlington I took Capt. Remember Baker into partnership with me for the survey of Mansfield on condition of his advancing all the stores and hiring the men for assistance taking his pay when made by the proprietors; setting his advances against my enterprise expenses &c, in making the contract. I then showed him the money advanced by my brother, observing in the case of necessity it might be of use to us. A day was assigned to meet at Skeensborough. Baker was to bring on the

¹ From this point dates Ira Allen's struggle for the independence of Vermont.

men and stores, and I to go to Crown Point to purchase a boat and meet him. I then went to Hubbardton and continued my surveys till it was time to go to Crown Point. I then set out through the woods, though again afflicted with boils. I procured a batteau and Waywood, a discharged British soldier to assist me to Skeensborough where we arrived about one hour before Baker. I then looked for some salts I had purchased to purge my blood on account of the boils, which I had been advised to by a physician, but I had left it. Baker arriving we set out for Onion river. A few hours after I was taken with a dysentery that was severe for three days and nights and reduced me to be very weak. Baker advised me to steep white oak bark in water, and take it to check its operation. But I declined, considering that my constitution was throwing off the effects of the measles, boils, &c., as was intended by Doctr. Fay which I really effected, and I never enjoyed better health in my life. We proceeded to Shelburn and stopped at Acres Point, being wind-bound, when Baker and I. Vanornom set out through the woods to see the lands and find New Huntington corner, which Baker had seen when in pursuit of Cockburn; and to see if they could discover any signs of N. York surveyors in the woods. We were to meet at the falls of Onion river as soon as the wind would admit. The other men with me went on with the boat to said falls. On landing, I found a camp with some provisions &c. that induced me to suppose that a New York surveyor was in the woods. I carefully left the camp, leaving no signs of our having been there, and went down the river about two miles to a large intervale, and there formed a camp. I left a sentinel to look out for Baker at the falls, and to see who might come to the camp. My sentinels not being old soldiers, were inattentive, and Baker passed them; and, not finding me, or any signs of my being there, was very hungry and ate some of said stores. After we met, we continued a sentinel and waited some days for the party to come in. When they arrived, Capt. Stevens the Surveyor discovered that somebody had been there, and before we could attack the camp, and made his escape with most of his party, leaving two men in the camp, which we made prisoners of. Not being able to learn certainly where Stevens was gone, we waited till near dark; when we took Stevens' boat, stores, and prisoners, and set out for our camp. In the twilight, two boats

were discovered coming towards us, who turned and made off faster than we could pursue; nor could we discover their numbers &c. We hurried them by our stores &c, which we had taken the precaution in some measure to secrete. It was then agreed to remain there for the night and keep a lookout. In the morning before sun rise we discovered two boats coming up the river towards us, which proved to be two bark canoes, four of his men and ten Indians, all well armed with guns &c. and our whole party was seven men. Capt. Baker had a cutlass, I. Vanornam a gun and I a case of pistols. These were all the arms we had; nevertheless, we determined to defend the ground. I prepared our men with axes, clubs, &c., and arranged ourselves on the bank about two rods from the water, tying our prisoners to a pole behind. Stevens was the first man out of the canoes, and while the rest were getting out, he came up the bank with a hatchet in his hand, with large pistols pocket, and made towards Baker, brandishing his hatchet. Baker opened his breast, inviting to strike, if he dared. Stevens demanded why his men were tied. Baker answered it was his pleasure. Stevens drew a scalping knife from his bosom, and turned towards them, (not daring to attempt to strike Baker, as Vanornam's gun was pointed on him. When about 30 feet of me, I presented a pistol at him, with a solemn word that death was his portion instantly if he stepped one step farther, or attempted to touch the pistols in his pocket. At this, he stopped with a pale countenance, & by this time, his party appeared prepared to come up the bank; when I spoke to Vanornam, who had been a prisoner with the Indians to tell the redmen in their own language, that they and we were brothers, that they were welcome to hunt &c., on our lands when they pleased, that this was a land quarrel, that did not concern them. Vanornam spoke to them in their own language to that effect, and they instantly leaped to their canoes, leaving Stevens and his men prisoners. Stevens then asked me whether I should have fired if he had not stopped. I told him I should for I [had] no notion of being a prisoner & tried by the Supreme Court of New York by the acts of outlawry &c. Then pointing the same pistol to a small mark, less than a dollar, in a pole, about the same distance as Stevens was from me, observing that I would suppose that pole to be his body and the mark his heart, I fired. The ball (by chance) struck the pole

about half an inch under the mark. There being a truce between Govr. Tryon and the people of the district of the New Hampshire Grants, we thought it would not be politic to inflict corporal punishment on Stevens. He and his men were dismissed, on pain of death never to come within the district of the New Hampshire Grants again. Their boat, stores &c. were also returned to them and we parted.¹

While waiting for the surveying party to come out of the

¹ Stevens went to New York and James Duane drafted his affidavit, which, however, named Allen and Remember Baker as two of the party. When the affidavit was formally prepared, the description of the party was as follows: 'That the deponent learned two of those persons names, to wit: one Baker, who is a tall slim fellow with a sandy complexion, the other Ara Allen.' Duane (evidently never having heard of any Allen but Ethan) drew a line through those last four words and in the margin wrote the following to be inserted after 'complexion,' 'and whose Christian name he since understood is Remember and one whom the gang called Allen and who informed one of the deponents assistants that his Christian name was Ara.' This seems to be the first time James Duane became aware of Ira Allen, but it was not the last.

The Order of Council on the Petition of Benjamin Stevens, October 21, 1772, states that:

'His Excellency laid before the Board the petition of Complaint of Benjamin Stevens Deputy Surveyor of Lands, and John Brandon and John Dunbar, setting, that the Complainants being on their lawful Business was on the 29th of September last met with by Remember Baker, Ara Allen, and five other persons at Onion River, and were without any provocation stript by them of their property and Effects, insulted and threatned, and the petitioner John Dunbar thrown into the Fire, Bound and Burned and otherwise beat and abused in a Cruel manner, as more fully appears by the affidavits thereunto annexed; and praying Relief.

'On reading of which petition and Depositions, and his Excellency requiring the opinion of the Council thereon — The Council humbly advised it be recommended to Mr. Chief Justice Horsmanden to issue his Warrant to apprehend the said Baker and Allen for the offence with which they stand charged in the said Depositions, and that his Excellency do promise a Reward of one hundred pounds doe apprehending each of the said offenders to be paid to the person or persons by whom they shall be apprehended and brought before the Chief Justice — And Mr. Chief Justice Horsmanden was desired to issue his Warrant accordingly.' No record has been found of the issue of this warrant or the publication of the reward.

Ira Allen in his History, page 40, says — 'They were released without any trial or corporal punishment (on account of the subsisting negotiations) and they promised not to return again.'

A List of the Articles that we the Subscribers Ware Robd of at Onion River in the County of Charlate on the 29th of Sept: 1772 — Viz:

5 Gallons of Jamaca Sperits

1 Surveyors Chain

25 or 30 lb^s Bacon

20 lb^s of Bread

2 pair of Stockings

Loaf Shugar Tea 1 Knife 1 Sedar piggen

1 puter Quart powder 2 powder Horns 1 fish gig

2 Earthen Cups

Besides Damage done us in Stealing our Boat and Loss of time going after it together with the hire of two Indians and their Canoe to go with us.

Persons who ware the Cheif of this gang who ware Seven in Number was one Baker and Ara Allen.

woods, I explored the intervalles below the falls of said Onion river, and pitched my tent by a large pitch pine tree nearly opposite to an island, about one and a half miles below the falls, where I had observed large intervalles on both sides of the river, when I first went up, and landed for the first time I ever set my foot on the fertile soil of Onion river, at the lower end of the meadow now known by the name of the old fields, where I discovered from my boat an opening like cleared lands. In consequence, I directed my men to refresh themselves with spirits and water, while I went to view the lands. I went up the open meadow where the blue joint grass &c., was thick till in sight of a large and lonely elm. Computing the open field about fifty acres, I was much pleased with this excursion, promising myself one day to be the owner of that beautiful meadow. I observed that the intervalle continued on both sides of the river to the pine aforesaid, which was the reason of my coming from the falls down to said pine to wait the return of Baker and Vanornam, as also the surveying party, as before described. After Baker joined me I took some men with me and laid out Lots No 1 and 2, including the ground we were encamped on, and began a small improvement, declaring to the party that I would make a farm for myself there — I, then crossed the river and laid out lots No 1 and 2, promising them to Isaac Vanornam. (Afterwards the Onion river company gave one of said lots to Vanornam, and sold him the other for fifteen pounds.) While making the first corner of said lots, John Whiston by accident stuck an axe into his shin up and down to lay the bone bare for two inches. This appeared to me as a great misfortune considering that we had to get our stores near 20 miles up the river over falls &c, and then go six miles back from the river to survey Mansfield. Whiston was carried in canoes, except hobbling as well as he could past falls, to the mouth of the brook on which Capt. Holembeck has since erected mills, which by Capt. Hubel's survey was within Bolton. There we erected a tent. Whiston's leg was swollen and red, and painful. We applied several poltices made of the bark of bass wood roots, male elm, spikenard and old beech leaves which, in the course of one night, abated the swelling, pain &c. Baker then found some balsom of fir, which, on lint, we applied to the bottom of the wound, and by repeated dressings, in the course of six days, he was able to walk to

Mansfield and pursue business. Baker and the party made themselves some sport at my laying out said lots for Vanornam and myself so far in a wilderness, and in which town I did not own one foot of lands.

After these digressions it may not be improper to give a short account of our proceedings after parting with Stevens as aforesaid. We proceeded with our stores to the falls, & then Baker and I went past the falls and found a suitable tree for a canoe, near the place since established for a ferry in my mill pond. Some were employed in making a canoe, and others bringing on the store. We secreted our boat with brush &c. in the cove below the red rocks. As soon as the canoe was completed and launched, we put in our stores, & set out up the river, and to our great surprise, soon found falls, (that but few people know of to this day.) On examining them, we found that by taking out our stores, and lightening our canoe by dressing it over, &c, we could draw it by, which we effected. There being a strong current some distance above the falls, part of our stores were put into said canoe, and Vanornam with me set out with setting poles &c. to get above the narrows, which as we passed, appeared like a hedious place. The river, which, below, was 25 rods wide, was here reduced to eighty feet, with rocks perpendicular eighty feet high which in a cloudy day, made a solemn appearance. But being going up the river, we considered ourselves safe, after passing the high rocks and entering a pleasant country. All of a sudden, our canoe took a turn back, which we could not recover, with our paddles for some rods. We made a second attempt, and was turned back. This was a mystery, for we could discover nothing but level water, without any bottom, (it being a dark day.) We made the third attempt close to the rocks on the south side, passing the high rocks just below where we were turned back. I got upon the side of a rock and held the canoe by the painter, till Vanornam came to my assistance. I then went forward and discovered a rock across the river about two and a half feet under water, over which ran a strong, though apparently still current. Below that bar of rocks the water is at least 70 feet deep, but its depth to this day is not ascertained. After getting our stores and party together we proceeded up the river to Hubbel's falls, where we were obliged to leave our canoe, and carry our provisions &c., on our backs

near two miles to get above the rapids where we made another canoe and launched it at the place in Essex, since known by the name of the canoe place. We then proceeded up the river to the mouth of a large brook, by Capt. Hubbels Town Corners, in Bolton, since found to be in Jerico, near the upper corner. There we erected a camp and run a line from the supposed corner of Jerico, to Bolton, six miles N. 45E. and made the S.W. corner of Mansfield. Our provisions were carried in packs to a camp we erected near that place. While our men were busied in carrying out said provisions, Capt. Baker, with me set out to explore the town, which we found to consist of a tremendous range of Mountains, covered with evergreens near the centre of the town. On a high pinnacle of the mountain, we discovered a tall black spruce tree, with two separate branches near the top, which we went near the top of, and could see over the town and a great country. At this time, I was the owner of very near one third of the town, and could not discover lands that would [make] one good farm. This gave Baker an opportunity to pass many hard jokes on me respecting my purchase, &c. We however determined to lay out our division of lots as per agreement in the south west corner of the town, as there appeared to be the best tract of land, and was the most convenient. We returned to our party and proceeded to run the town lines. Baker took the West and North lines, and I the South and East, and met at the North East corner of the town, and then proceeded to the allotments. We found that we should be short of provisions, in consequence of our delay to take said Stevens, embarrassments in getting up said river, &c. We detached Isaac Vanornam and one man with him to Onion river to catch fish; who were so fortunate in the course of an afternoon and next morning as to catch as many as they could both conveniently bring in their packs after dressed. They returned to us the evening of the second day. These fish were principally trout and very good.

We continued our survey till nearly completed, when Baker cracked the glass to his compass. The weather proving wet, and our stores nearly exhausted Baker, with a party, agreed to erect six possession houses, girdle &c., in pursuance to my contract with said proprietors, while I finished the survey. Three successive very rainy days insued, so cold that snow ice or hail

was interspersed amongst the black spruce, fir, and hemlock brush on the tops of some hills that I was obliged to pass. Yet I completed my survey and Baker his houses, and for three of the last days I believe that not one of us had a dry thread on us. The next day was clear, and we went to Onion river.

It may be useful to some body to hear remark that about three miles from Bolton old corner nearly North East by a small brook, that a man can conveniently step across, is a ledge of stone forming Westerly about five feet in height, that are excellent rubstones for the use of scythes. By spitting on them they turn greenish, much like the Quinebog rubstones in Connecticut. On the land lotted for Mansfield, near the S.E. corner of Underhill are good millstones.

At Onion river, a question arose which way to return. I wished to explore the [town] of Waterbury, Middlesex, Mooretown, &c, in which I was interested in lands, and — to return by land to Otter creek, to gain a knowledge of the country. But some weighty obstacles came in the way. Capt. Peleg Sunderland was to have brought a small supply of provisions to a certain place & then come to our camp, but he had not joined us. Our prospects were small in expecting to meet him up the river. I had had the misfortune to get the itch at Crown Point, which had been the means of getting my blood out of order, and I was afflicted with boils. We had not provisions for more than three days; but these obstacles did not prevent my proceeding up the river in the morning. I was accompanied by four of our men, viz, I. Vanornam, J. Whiston, E. Sherman, & Bass. Capt R. Baker and P. Hurlburt went down the river to return our boat to Crown Point. Thus we parted, having seen no persons in the wilderness, except Capt. Saml Elmer, and some men from Sharon, that had been to Survey, &c, Stow. I proceeded up the river and back from the river, nearly to the N.E. corner of Middlesex, visiting the tops of hills, climbing trees on the heights, to learn the quality of the country. I returned to the river, to the entervales now in Waterbury, where we found a camp covered with bark. A snow had begun to fall, and we had not found Sunderland, and had not more than one meal of victuals a piece. In addition to this, I had four large boils on one knee, that had that day got to be very troublesome. The weather being stormy as aforesaid, near night, we agreed to make the best of the bark camp for the

night. In the mean time, a question arose as to the course and distance to the first house in Pitsford (Mr. Water's). I was soon convinced that very different opinions would arise as to the course to pursue next day. To give satisfaction to all, I proposed that each man should cut a stick, laying the top pointing for Mr. Water's in Pitsford, & that one should not see how the others laid their sticks, and that I would then take each man's course by the compass; which was agreed to. The sticks being laid, they formed nearly a half circle, two pointing nearly East, one nearly West, but I. Vanornam and myself pointed Southwesterly with nearly a degree's difference from each other. At this difference in opinion the men were much terrified, considering the snow storm, shortness of provisions, distance to Pitsford, and the mountains, &c, in our way. I then proposed to the men that if they would find dry wood to make a light at night, I would suppose from the knowledge we had of the country, a course and distance from Pitsford to lake Champlain, then a course and distance to the mouth of Onion river, then a course and distance up the river to where we were, then calculate our course and distance to Mr. Water's. The men cheerfully agreed to furnish the dry wood, and I made the calculation by fire light, which fortunately fell between the course projected by I. Vanornam and myself; (the particulars of which I do not at present recollect,) which gave great satisfaction to the party. Being satisfied that Vanornam could keep a course in the woods as well myself, and being lame, myself, we agreed that he should, by the help of a small compass to look at occasionally, take the lead of the party. These matters being settled, we went to sleep. In the morning, the snow was over shoes; and the weather cold and cloudy. I found my boils more troublesome. Indeed my knee was quite stiff. The question was to get across the river. Vanornam proposed to make two rafts, which all instantly agreed to, leaving me to rest till one was completed, when Vanornam was to pass with me, and the rest were to follow as soon as might be. One raft being completed, Vanornam & I embarked, putting a large firebrand on the raft, &c. We pushed off with our setting poles, and found a strong current in the river, which drove us down as we passed; and to our great misfortune, we were twice wrecked on piles of gravelstones, (collected by fish, as the Indians informed, to secure their spawn, or young.)

After passing the last when two thirds across the river, we were so wrecked that our raft would not bear the weight of more than one. Vanornam leaped into the river to return, that I might gain the opposite shore; which I attempted, but I found that the raft was so wrecked, and that the current was carrying me down stream, so that the raft would sink in deep water, before I could gain the other shore. I therefore found it necessary to quit the raft and gain the shore from where I came. The water was almost to my armpits. The cold affected my boils exceedingly, but I gained the shore about forty rods below where I embarked, and made the best of my way up the river past our camp, not speaking one word in answer to the men. But when I had gained the proper fording place as discovered on the raft, I pushed into the river and Vanornam directly followed. When the other men saw our course, they quit the raft they were making for themselves and followed us. We were soon on the other side of the river, where we made a fire of dry wood that fortunately came in our way. After warming and taking a few mouthfulls of provisions, (for our stores would not afford a breakfast,) we set out on our course, as before stipulated. My knee was so stiff that I could not make use of the knee joint, and was painful; yet I kept up with the company. At night, I set down while the men erected a camp of hemlock bows &c, where we spent the night. In the morning, we pursued our journey. In the course of the day, we found where a moose had been browsing. Vanornam immediately pursued and soon came up with him, and had a fair shot; but a misfortune had befallen his gun. One of the men had felled a small tree, the top of which had crooked the gun, so that Vanornam missed the moose, fair broadside at about ten rods distance. This was a great misfortune, and hungry as we were, it occasioned round oaths &c. We continued our course and camped at night as before. In the morning, my knee was so stiff that I could not bend the joint, and very painful. Nevertheless I pursued my journey. Before noon, the men complained severely that our course was too much to the South,—that we were taking the range of the Green Mountains lengthwise and that we had traveled far enough to be against Pitsford &c. By the assistance of Vanornam I persuaded them that we were right and continued our course some time. After crossing high ground, where it appeared that we could have a

prospect to the West, I advised Vanornam to climb a Spruce tree, whose lofty summit might show Crown point, or something by which we might regulate our course. Vanornam discovered high mountains to the West, but could not tell where they lay. At this I ascended the tree to the top, where I discovered that said Mountains were to the N.W. of Crown Point. We continued our course till another dispute arose, when Vanornam agreed with the men that it was best to turn West, observing if we should come to Otter creek too far down, we might stand a chance to catch some fish, and on the West side should find a foot path that might in some measure compensate for the farther distance, and that we should probably find little or no snow. We turned West and saw water to the North, (which I since have found to be Leister Pond.) At evening we came to & crossed Otter creek by the help of rafts we made. We soon found an old camp covered with bark, which we took possession of as a fortunate event, as it began to rain and proved a rainy night. In the course of the day Vanornam had killed one partridge which we boiled in a tin kettle, adding some black pepper to season it, it being all that remained of our stores. The meat and soup were equally divided and useful to us, but rather sharpened than satisfied our appetites. In the evening we had some amusement at the expense of Mr. E. Sherman, who, hearing a screech owl hoot, mistook it for a woman's voice, when he rushed hastily out of the camp into the rain, to answer his supposed female friend, which he repeatedly attempted with a loud voice, which the owl answered. Sherman called aloud for us all to follow him, for she had answered him — that he would not stay starving all night in hearing of a house &c. Notwithstanding none followed, Sherman set out alone. After he had gone some distance from the camp, he was informed that it was an owl, and that if he went much farther, he would get lost &c. After some hesitation, he returned. These enabled us to pass some time merrily.

In the morning, we proceeded up the creek, though my boils had not broke, nor could I make the least use of my knee joint. The boils were painful, yet I kept up with the party. Just before we arrived at Mr. Water's, I met a man of my acquaintance, stopping with him a few minutes, the men arrived first at the house at about twelve oclock and made inquiry for something to eat. They were answered that there were corned

mutton and turnips, boiling for dinner, and bread was baking, which would be done as anything could be cooked. The men set down, impatient to wait for it. When I came in, being informed, as above, though a stranger in the house, I went directly into the buttery, where I found some old dry crusts of bread, which I divided amongst the men and myself, informing Mrs. Water's of our hungry situation. In fact sharp hunger had abated, and each man from hunger and fatigue felt faint and weak. I had discovered some milk in the buttery, & consequently, I requested some pudding to be made with Indian meal, as soon as possible; which was immediately done, and divided amongst us; about half a pint of milk with some pudding to each man, which took the whole of the milk. In a few minutes the mutton and turnips were brought on the table. I cut a piece for each and distributed to each man about an equal proportion, cautioning them against eating too much at first. Elijah Sherman siezing on a second piece of meat, I removed the platter, &c., and delivered them to Mrs. Waters with a request that none of the party should have any thing more to eat for two hours; repeating the fate of some of Majr. Robt. Roger's Rangers, who, after getting through the wilderness from burning the indian towns of St. Francois', killed themselves by eating as soon as they came to provisions on Connecticut river, in the year 1759, if my memory serveth for a right date. This rehersal seemed to satisfy the men, though what we had eaten only gave a sharper appetite. A short time after, E. Sherman was missing, and search being made for him, he was found very fast asleep. He was shook &c; but remained senseless. I directed two men to take him by the arms and make him walk at some rate. They continued exercising him in this way, about one hour before he came to his senses and the regular use of his limbs. Every one present was convinced that Sherman never would have awakened again, if he had not been exercised as aforesaid. This ought to caution men against eating much at first, after having suffered by hunger, especially when hunger has changed to faintness, and by no means to go soon to sleep. For sleep in that case has the same effect on the human body, as when it is fatigued and benumbed, with cold till sleepy. In either case, if a person gives way to sleep, they die insensably. Hence it is that people bewildered are often found frozen in a posture of sleep, sitting by trees &c. To re-

turn to my narrative, we ate sparingly once in two hours till bed time. I then paid the bill, determining to have a walk of ten miles to Mr. Asa Johnson's for breakfast, there to try to satisfy hunger. We went to rest, but hunger got the better of sleep. Before day light, there being a full moon, and clear sky, about an hour before day, we set out for Mr. Johnsons. In a dark place, I stuck a knot into the boil on my knee pan that broke it, which caused severe sensation and some harsh words; but I could walk the better after it. At Mr. Johnson's, we feasted hastily on fresh bear meat, with tea, bread and butter, to finish a very extravagant breakfast. I then proceeded to my brother's in Poultney, where I remained very quiet till my boils were well. Had I been at home when those boils were on my knee I should have supposed that I could not have walked one rod; for they were four tremendous great boils on one knee. But necessity compelled me to cross the range of Green Mountains. Human nature in enterprising young men is capable of enduring more hardships than mankind generally allot to their species, which my exertions near the close of this year will evince.¹

As soon as my knee was well, I went and pitched some lots of land up Poultney river, and North of it, for my brother Zimri Allen and myself. In the course of looking out this land, my brother Ethan Allen was amusing himself in hunting and killing deer. He often invited me, as I had been fortunate in killing two bucks in one day, while looking lands in Hubbardton to lay by my compass, and hunt for deer. To which I observed that a compass &c, was as amusing to me as hunting deer, yet if deer came in my way, when looking lands, and I had a gun by me, I could kill them as well as he could; but that I was not so fond of killing deer as to injure my constitution, or other objects in life in pursuit of them. However to gain a knowledge of lands, &c., that my brother had often passed in hunting &c, I agreed to take three days provisions, and he the same rations in our packs and travel together. He was to show me the best lands vacant, and to kill deer, if they came in our way. The weather was dry and the leaves noisy, and of course unfavorable for hunting. My brother, I acknowledge, took a quick step, which was hard for me to keep up with. However with difficulty I accomplished it. The second night

¹ See December in Hubbardton.

we lodged at Peck's camp, up Poultney river near Tinmouth line. Mr. Peck and my brother in the course of the evening had a high banter, and some bets laid for shooting at mark next morning, to which I had very little to say. We made use of the blankets we carried with us to sleep upon, and retired for rest. In the gray of the morning, Mr. Peck and my brother were up and preparing their guns, &c, and soon began to fire. Some I heard, and others sleep prevented the notice of. They continued their sport till the sun was two hours high, and then came into camp and found me fast asleep. My brother rebuked me for sleeping so late that I could not eat breakfast &c, as I had had no exercise; when I observed that I had had the best of exercise to travel with him, and could eat breakfast sufficient to serve me the remainder of the day, without once stopping to eat or drink. Turning over, I took a large piece of raw fat pork with bread and began to eat in as voracious a manner as possible. Mr. Peck and my brother could by no means equal me, but being both anxious to begin their hunt, made their breakfast on bread and pork. *My brother made a light breakfast.*¹ We pursued our pursuits with vigor. In the course of the day, my brother proposed dinner, but I wished not for any, my breakfast still serving me. My brother then took a quicker step, thinking I should falter; yet I made my way good. The real facts were that for a few days he could out travel me, in the wilderness. Yet on a long seige and corse fair, raw pork, &c., I could out do him. He was a man of firm constitution, larger and stronger than myself. Yet coarse diet, &c., better supported me than him; which was also the case with my late and much respected friend, Capt. Remember Baker, the first man that was killed in the American war in 1775, in the Northern Department.

N.B. These Memoirs having been written in prison in unpleasant circumstances, two trifling circumstances were omitted, that should have been noticed early in this year (the summer of 1772). On going into Hubbardton in May, Capt. John Grant of Poultney went with me to look out lands with a view for settlement. My quarters, stores &c. were then at Majr. Abel Moltons of Castleton, from where we took our departure. I had hired James Berry an old English Soldier to assist me &c.

Italics are the editor's.

We proceeded to Hubbardton to the camp Capt. Baker, and I made on Sucker Brook, West of Mount Zion, where we spent the night. In the morning, Capt. Grant and I set out to view Hubbardton, directing our course Northeasterly, and finally went down the large brook that empties into Castleton pond, viewing the intervalles &c. Grant agreed for a lot then No. 15 & we then proceeded North &c. till we perceived it was after sundown. (The whole day had been cloudy.) At this, we considered a moment to determine our course to return to our camp, and it being late, we made a forced march till we came to a brook. We supposed from the appearance of the lands, bigness and course, as Grant looked at his pocket compass, that this was the head of Sucker Brook; for we had began to look out for it, before we came to it, and of course were satisfied that by following the brook down, we should come to our camp. Without further attention, we made great haste down the brook, expecting it would not be dark by the time we could arrive. At dark, we had not found our camp. The misquetoos were troublesome. The darkness of the night made it bad traveling. We however made the best of our way till we grew impatient. When it appeared some lighter, we supposed the clouds were about breaking away. But a jealousy arose in my mind, that we were on Meads Brook, and that we had got down it into some girdled lands in Castleton. By feeling with my hands round the trees, I found them girdled. This proved to us that we were on Meads Brook in Castleton. A question then arose whether we would go down the brook to Castleton river, and then take the road and then go to Moltons, about three miles: This we could do without danger of being lost, or whether we would take our chance to find our camp, at least four miles. We both agreed at once to make trail for our camp: but we differed in the mode of proceeding. Capt. Grant was for going up the brook, taking that for our guide, till we came to a great jam of flood wood, wind fall &c. by Castleton line, that he particularly noticed the day before, and where we left the brook and struck through the notch between Castleton hills and Mount Zion. I was for paying no further attention to the brook, but take a course Northerly till we supposed we were far enough to turn through the notch Northwesterly to Sucker brook, and strike that below our camp, and follow it up to our camp. I was certain there was no brook came into it, that

would lead us estray, &c. However Grant being the oldest and much accustomed to the woods, I submitted to his plan. We passed up the brook with all possible speed, occasionally crossing the brook, as it was crooked, and for convenience of traveling, keeping near by it. Some times one led the way, and some times the other. After traveling till we thought it high time to come to the flood wood &c., aforesaid, when we were crossing the brook on a log, I observed that I thought I had seen that place before, and made a stop on the log. Grant feeling out of humor, being vexed with musquitoes &c. damned me for a fool &c. calling on me to come on. Nevertheless I took my hat off, and having laid it on the water, it went the same way we were going, of which I informed Grant. He swore it was an eddy. I tried the experiment from one side of the brook to the other, and found it the same. Grant came back & the facts were that by some turn or crook of the brook, we had not observed changing the brook from one hand to the other, and were actually going down the brook. This not a little confused & vexed us; but we immediately set out again up the brook. After traveling considerable time, we found uneven ground, and that we were ascending; which induced us to examine the bigness of the brook, &c., apprehending that we were led estray by some small brook, coming into the main brook, and were ascending the hills on one side or the other. the darkness of the night &c. preventing any satisfactory conclusion. We proceeded up the brook, till Grant of a sudden caught hold of me and stopped me. In viewing the brook, we had made a short turn, and two steps more would have dropped us down, as near as we could guess 15 feet perpendicular. The whiteness of the water over a small fall attracted Grants eyes, and prevented our stepping off. (This shows the danger of traveling in rough broken lands in the dark.) We were now convinced that we were led estray by some small brook coming into Meads brook; but whether to the East or West, we were quite at a loss, but that would make a material odds in the course to the camp. Grant was extremely vexed and beaten with his plan of following brooks which gave me room to laugh at him, and say if he had heard to me, we should have been at our camp. Grant laid down on the ground and swore that the devil could not find the way through these woods in a dark night without some guide and seemed not much inclined to make further trial till day light.

I told Grant that I would by walking a few rods alone determine on a course that would lead us to our camp. After some consideration, I called Grant and told I could find our camp, but he should follow me, and I was confident I should go right. We set out again in this plan, and the first thing material was that it began to grow lighter. We concluded that the clouds had began to break away, and had caused it, neither of us believing it to be the dawn of day, as it was not time for daylight. (Perhaps this is the first time ever two men traveled all night amongst misquetos &c, and day light came too soon.) However the light increased and the pocket compass, when we came to the height of a sharp high ridge, when we found our course was due West. I climbed to the top of a tree to see if I could make any discovery to learn where we were. The weather being bad for prospect and I but little acquainted, I could not be certain where we were. For better satisfaction, we walked North on the ridge, where at about 30 rods, we found a marked line E. & W. In a few minutes I saw the place where Capt. Baker killed the bear with his hatchet the fall before. This line extended west directly to our camp, which was about two miles distant. So it appears that the course I had taken would have brought us to the camp) We arrived there some time before sun rise & took refreshments, and immediately set out again to view Hubbardton. We went to the West, Northwest and Northerly parts of the town, and returned to our camp just at dark, so we had continued our walk two days and one night without resting. After taking some refreshments we slept very sound.

In the course of this summer 1772, I took a singular stroll. I took six days provisions in my pack, a small pocket pistol, little horn of powder, and a hatchet of a small size, for the benefit of making fire &c. and set out to view the country, a little to the North of Hubbardton. One evening, I had made a fire and as there appeared a prospect of rain, I had cut some crotches, &c., and stretched my blanket to keep off the rain, and cut some hemlock boughs for a bed, and laid down for repose, when I was soon disturbed by hearing thunder at a distance, preceeded by the roaring of a tremendous wind. The falling of trees was incessant, and I found the hurricane was coming directly to me. Safety became the great question, and I had little time for consideration. I recollected seeing a large

pine, that was turned up by the roots. Under this log, I had got some dry wood to make my fire. I took a brand of fire to light me to it, and to see how to get into the best safety. I found it to be a large log about two feet from the ground near the roots; and at about eight feet, lay firm on the ground. I considered this a safe retreat if all the trees in the woods were turned up by the roots. I had possession of my new habitation, when the wind, rain, thunder and lightning reached the place. A great many trees and branches of trees were brought to the ground, and some fell on every side of my fire, within eight or ten feet of it. One tree fell across the log under which I lay a little distance from me. The storm was soon over, when I repaired in search of my fire, and by the help of one dry, small, Hollow log, fire was retained and a little light to find it. My blanket was blown down, but not far off. I repaired my fire &c. and slept very comfortably the remainder of the night.

Two days after the aforesaid hurricane I ascended a high precipice or top of a mountain, east of a long pond, the source of Hubbardton River, in said town, where I found a great prospect to view the adjoining country. The day being clear and air pure, contributed much to my prospect of learning from the top of a tall spruce tree, which stood within thirty feet of a ledge I judged to be at least 300 feet perpendicular, facing westerly, and then loose stones lay with a steep descent some considerable distance above the tops of the trees. These circumstances faced the top of a very high eminence. I had a small compass, between the size of a common surveying compass and a pocket compass, with which I could occasionally run a line, as it had sights &c. I took this in my pocket, and hatchet in my hand and climbed to the top of the tree. With the hatchet I cut off the top and trimmed it to answer as a compass staff, and placed my compass on it, turning and viewing lands at a great distance. While thus amusing myself, the day being some windy, a sudden gust of wind caused the top of the tree to wave over the ledge aforesaid. At this unlucky moment for the first time, I chanced to cast my eyes down the tree, waved by the wind over, it had the appearance that I was going to the bottom. This gave me sensations not easily expressed. Let it suffice to say it caused a general chill to the motion of the blood — a strong feeling in my head and heart,

with weakness in my limbs, at which prudence dictated to me to put the compass instantly into my packet, and go down the tree. I went about two thirds down the tree, and stopped, and, on a few minutes reflection, came to my usual feelings. I then considered that the wind was not so high as at many other times, that I must be unlucky indeed if the tree fell in the time necessary for me to take minutes of the lands in the adjacent country. I resumed my courage and went and set my compass on the top of said tree, and with my pen, made regular minutes of my discoveries, without looking down till my business was finished & I ready to descend. I then looked to the bottom, but it gave too unpleasant sensations to stay at the top & I went down. From such a view, I could gain as much general knowledge of the country, as by a weeks traveling through the low lands, as the weather was favorable &c.

The fifth day of my stroll, I was on the top of another high ledge, after climbing a tree, and viewing the country &c., I came down and discovered a large stone that I could easily roll off; which, for amusement I did and several others. This place was about sixty feet, nearly as steep as the roof of a house, then broke off nearly one hundred feet more, then loose rocks &c., down to the trees, &c. A little down the side of the first mentioned steep part of the rock, lay a rock twice as big as a hogshead, and appeared easily turned off. I viewed it for some time, and then ventured down, taking off my shoes, I was very cautious observing small bushes that grew out of the cracks of the rocks, and one just by the stone I wished to roll, also feeling their strength in the rock &c. When I came to the rock I could not stir it. I went back and cut two pries; there being a place I could put them under, and put my feet on the ends, so that I made use of both strength and heft to turn the rock off. By this means I turned it. A craggy piece of the rock, that projected towards me, and which I took hold of when the rock moved, came against me as I was stooping over it lifting, and came near throwing me over the rock. I, by exertion, extracted myself, caught by the large bush aforesaid, and staid quiet where I was. But the danger I had escaped greatly eclipsed my pleasure in seeing the rock roll. But it went with tremendous force; and striking other rocks in its descent, raised a strong sulphurous smell, and when it came to the standing timber, it cut its way like a bush scythe, carrying with it the

butts of the trees, and their tops falling up the hill. This would have been a pleasant sight to me on a safe ground. I moved carefully to the top of the hill, and have been extremely careful in rolling rocks from such heights ever since.

In the fore part of the sixth day, I returned to my camp. Not satisfied with Hubbardton, or the adjacent country, from this excursion, I began to contemplate a prospect of the country's being better contiguous to Lake Champlain; that advantages might arise from the waters thereof &c; that the lands contiguous to said Lake were also granted by the governor of New Hampshire; that what little property I had was then in lands in Poultney, Castleton and Hubbardton; and not very saleable. In this situation, I determined to lay out my lands in company with my brother Zimri, in Hubbardton to the best advantage for sale, and see what luck would happen. While proceeding on this allotment Zimry came to assist me; but being of a weekly constitution, he could by no means bear the fatigues of the woods with me, and was obliged to remain a considerable part of the time in camp. I contemplated a road from Castleton through Hubbardton to the old road from No. 4, Charleston, to Crown Point, as it might introduce settlements in Hubbardton. One morning appearing to insure a very rainy day, and my compass glass being cracked, I proposed to take a hatchet & mark a road through Hubbardton. My brother quite opposed my attempting it in such a day, alledging that the day was so dark I could not tell where to mark, and that I should only wet and fatigue myself for nothing, &c. Notwithstanding, I took a hearty breakfast, mostly on raw pork and bread, and set out, not taking any thing for dinner &c. I went from my camp on Sucker Brook, West of Mount Zion to Castleton Line and began my road and proceeded northwardly (I had laid a small bet with my brother that I should pass in sight of a notty old birch tree we had both seen about two miles from Castleton line, which tree was surrounded with thick brush not to be seen twenty feet. My road line came directly to the tree and it was marked for the road.) I proceeded to mark the line through Hubbardton and about one mile beyond to said old road, and returned to the camp just at dark. The whole day was exceedingly rainy and dark, and I had no compass, nevertheless I passed through the town about five years ago, and found the road had been continued

with very little alterations, where I then marked and soon after cut a bridle path.

After closing my surveys in Poultney I proceeded to Hubbardton to finish my surveys there, as I contemplated visiting Onion River in the Spring, if I could make arrangements proper for that purpose. It was therefore essential to complete my surveys, that a map of the lands might be made to enable my brother to make sale thereof when I was absent, &c. I engaged David Remington to assist me, who was a handy woodsman. I gave large wages, as we expected to encounter much hardship, as it was late in the fall. Most of the work was laid out by two lines, having been run measured, & corners made; it being therefore mostly crosslines, and difficult procuring assistance, I took but one man with me. We had our stores at one general central camp, commonly taking in our packs four or five days provisions, and camping wherever night overtook us. As I had early in the fall, so I continued every night, to take off all my clothes to my shirt, and put my blanket round me to sleep, and went thin clothed in the day time. Before we had completed our work, snow fell overshoes, yet we continued camping as before, and lived principally on raw pork and bread. In this hardy way we continued and completed our surveys between Christmas and New Years, and that night reached our camp West of Mount Zion on Sucker Brook. The camp had only a roof down to the ground, the fire side and ends open. The weather had that day become intensely cold, as is commonly the case about Christmas or New Year in that climate. We prepared a plenty of wood, & at bed time Sucker Brook, which rises from springs &c, the heads of which do not exceed two miles course, consequently not early frozen, when it had a quiet motion or current, was not frozen over. I took off my clothes to sleep in my blanket as usual, and did gain some sleep. But when the fire got low, I turned out with only my shirt on, barefoot, in the snow, and put wood on the fire. (It was before conveniently piled for that purpose.) This night I must confess was exceedingly tedious, & near day I dressed myself, and must confess I felt the advantage of them, and sat up till day light, when said brook was frozen so hard that it bore me to walk on. Remington had most of the time slept with his clothes on; but I believe my method was the best till the last night, which was most likely as cold as any night

that winter. By this experiment I have reason to believe that the savages are not hardier to bear cold than white people. It is only use, being accustomed to it from infancy, and every year from the first of cold weather, and by day, going thinly clothed, &c, prepare the body to indure hardship. Examples of this kind I have too often seen in families of poor children almost naked, playing on the ice, when it would have been much better for them to have been in a good school. The next morning I returned to Castleton having closed my surveys and the business of the Year.

I then set out for Salisbury in Connecticut on foot. In the way, I gained information of a Mr. Miller, in or near New Providence, in the East part of Berkshire county, that had been a deputy surveyor, &c., from Portsmouth, and had much knowledge of the grants, grantees, &c, of lands on the New Hampshire grants. I went to see him and found him very intelligible. From him I learnt that Col. Symbs took the grants of Georgia, St. Albans, Swanton, and Highgate, and his place of residence and that of the principal grantees, with also a list of other grantees. I bought of him a map of all the grants made by Governor Wentworth West of Connecticut river, with the dates of such grants. This was very useful for me, and difficult to be obtained. Mr. Miller was loth to part with it, and when he set a price on it, it amounted to a little more than I had money. Here arose another difficulty, yet I could not be denied the map. I offered to work for him a few days, observing I explored the wilderness of Onion river, drove off Yorkers &c., Mr. Miller, being an obliging man, observed, as I appeared young and enterprising, the map would be of more use to me than to him, and gave it to me, and returned two shillings and sixpence, for my expences home. At this I parted with him very cheerfully, and with economy, made that money and some hunger serve for expence about sixty miles in bad traveling to my brother's in Salisbury in Connecticut.

My next object was to make a map of the township of Mansfield, with the allotments & Survey-bills thereof, agreeable to the bond &c., I had given the proprietors of Said town the preceeding Summer. I soon completed the map; but turning my attention to the field books, that Captain Remember Baker and I had kept, a difficulty arose in my mind, for my object was to sell out of Mansfield at all events, and if possible to get

Salisbury. March 23 1773

Ira. Allen His Book

Containing the most

Useful Rules in

Surveying

Wrote with my own

Hand and Agreeable to my

Invention

Sept. Ira. Allen

Surveyor

Amis:

the ninety pounds for the survey, &c. A great proportion of the corners of said lots were made on Spruce or fir timber, and if I described them as such, it would show the poorness of the town, and raise many questions that I wished to avoid. I made use of a stratagem that answered my purpose. In my survey bills, I called Spruce and fir gum-wood, a name not known by the people of Sharon (the place where the proprietors lived). They asked what kind of timber gumwood was. I told them tall Straight trees that had a gum, much like the gum on cherry trees &c. While the proprietors were busy in inspecting the map, Survey Bills, &c., I took aside the brother of one of the principal proprietors, who was an ignorant fellow and owned two rights of land in the town. I tryed to buy his rights, but he dared not sell them without first consulting his brother. By this the proprietors all got the alarm that I wished to purchase, and land in Mansfield was considered of consequence. I was urged to sell back to the proprietors the twenty rights I had bought, which I did, and obtained the ninety pounds for the survey, &c., which I considered of more consequence than the whole town. Having closed this business satisfactorily to myself, I returned to my brother's and had a hearty laugh with my brothers Heman and Zimri, on informing them respecting the gum-wood &c.

I now owned thirty rights of land in the towns of Bolton, Duxbury, Moretown and Middlesex, for which I owed Mr. Samuel Averil one hundred and fifty pounds payable in net cattle at his house in Rawmag. A part of that, fifty pounds, the first of May then next; the remainder, in two payments, six months between each payment. I also had a bond for six rights more, payable with the other payments, but my object was not to pay for these lands; for my ramble up Onion river, after the survey of Mansfield as aforesaid, had convinced me that the towns near the lake were objects for my attention, if I could form connections to enable me to extend settlements there. For this purpose I was persuading my brothers to join me in partnership, and had suggested the same idea to Capt. Baker, at Arlington, on my return from Connecticut as aforesaid. I now thought it time to visit Mr. Averill to see what arrangements I could make with him, determining if possible, to get up my obligations, and to return the land. Yet I ment to gain some advantage to compensate for my hungry march

through the woods from Onion river to Pitsford as before stated. To make my plan least suspicious &c, I went to visit two uncles and their families, that lived a few miles from Mr. Averills, who caused a ball and Mr. Averills sons were there. By these means, Mr. Averill learned of my being in the neighborhood. Wishing information respecting Onion river lands &c, he sent word for me to call on him. I sent him word that I should finish my visit in a few days, and call on him on my return, which I did. Many questions arose respecting lands &c. Mr. Averill invited me to spend the day and night with him, and he would be my company to Salisbury on his way to Bennington, which I complied with. The next evening we spent together at my brother's in Salisbury. Mr. Averill offered to give up my notes, if I would return the deed and bond, which I declined, considering lands worth more than when I purchased, and I had been at trouble &c, to explore the country, contemplated making a settlement there &c. Mr. Averill agreed to call on me on his return from Bennington. My brother Heman, who heard the discourse took an opportunity and advised me to comply with the proposition, and exchange writings, observing that Mr. Averill might not call on his return. I chose to risk my chance. Mr. Averill rode by on his return, without looking at the house. This my brothers and I saw, which gave them room to pass some satires on me. I still insisted that I would gain something for making contracts &c. About this time, my brothers began to listen to my propositions to purchase lands and extend settlement to Onion river. One circumstance was in my favor. The family were considerably interested in lands on the New Hampshire Grants, and it was apprehended that the Yorkers would attempt to commence settlement there, if the proprietors under New Hampshire did not. Capt. Baker came from Arlington to confer on these matters, and five of us agreed to join in partnership, viz. Ethan Allen, Remember Baker, Heman Allen, Zimry Allen and Ira Allen. The plan then was to purchase lands, and furnish stores to commence settlement in the towns of Burlington, Williston, Shelburn, Colchester, Essex, and Jericho. Baker and myself were to repace to Onion river in the Spring and see to business there, Ethan Allen to remain at Bennington, Poultney &c, to manage political affairs; for the country or district of the New Hampshire Grants was in a state of war

with the colony of New York, not in reality with the body of the people of the colony, but with the governor, council, Court Sycophants, and land jobbers. A premium had been offered by the governor of New York for Ethan Allen, Remember Baker and others to have taken and confined in any of the goals of the colony.

Some lands were owned by Edward Burling and others at the White Plains twenty one miles from New York, which we wanted. Col. Ethan Allen, Capt. Remember Baker and myself armed with holsters and pistols, a good case of pistols each in our pockets, with each a good hanger, set out to purchase the aforesaid and other lands in the colony of New York. We traveled under the character of British officers, going from Canada to New York to embark for London, and made no small parade. My brother Heman being then in a merchantile line set out for New York, but was seldom in company with us, as he was too well known on that road. We put up at a tavern near Mr. Burling's, having previously concerted measures with Heman to acquaint Mr. Burling with our intentions and the reason of our travelling in that manner, the time we should call on him &c. We proceeded accordingly, and bought a great part of Mr. Burling's lands,¹ and bought of others — spent three days there, without the suspicion who we were. The evening before we left there, after closing our business, Heman came and put up at the same house, as it was necessary to be together, as we should part next morning, for Heman was to make purchases in New York, (Zimry was also occasionally to purchase lands.) It was with much difficulty that Heman could get introduced to our company that evening on account of the diffidence of the landlord and his questions as to the supposed British officers questioning the character of the Connecticut merchant, &c. But Heman got leave by bringing in his hand a liberal bowl to be introduced. It was with difficulty we could all keep our countenances till the landlord retired, which he did very soon. It was curious to see the astonishment of the landlord the next morning, when we called in our bill all together and declared who we were, informing a pedlar who was present, going directly to New York, that bounties were offered for us, giving our names &c. We

¹ Wilbur Photostats No. 4981, University of Vermont. Burling's deed is dated April 1, 1773.

saw the pedlar set out full speed to New York to raise a party against us, as he supposed we were going to continue speculating in lands, depending on our own arms for defence. On his arrival in New York, he went to the Governor and Council, and gave his deposition of our being purchasing lands &c, at the White Plains. At first, it was proposed to send a party of light horsemen after us, and preparations were made for the purpose. But James Duain Esqr. observed that we were daring fellows, and no doubt well mounted, & had given this alarm to raise a party to pursue us, and had gone directly out of the colony in hopes of being pursued, to laugh at our pursuers, & that it was in vain to pursue Green Mountain Boys on their guard &c. Mr. Duain was perfectly right, for, within two hours after the express arrived in New York, we were in the colony of Connecticut in hopes of being pursued, to gain a greater opportunity to satirize our adversaries. We proceeded then Northwardly in Connecticut till we were opposite to Quaker Hills, — then turned again into the colony of New York, and went to Mr. Benjamin Ferry's, a worthy old gentleman and Quaker Preacher, with whom most of us were before acquainted. The old gentleman was at home. We took our pistols out of our holsters and carried them in with us. He looked at the pistols saying 'What doth thee do with those things?' He was answered 'Nothing amongst our friends,' but we were Green Mountain Boys, and ment to protect our persons and property, and that of our friends on the New Hampshire Grants against the ungust claims of the land jobbers &c of New York. The old gentleman showed us a room observing 'This is thy room while thee stay in my house — thee may do as thee please in thy room.' Our horses were put out and we began to converse respecting lands &c when Mr. Ferrys observed that he 'was interested in lands in several places, mostly in Shelburn, where he owned fourteen rights and that we wanted refreshment, rest, &c, and that he would converse with us again in the Morning. He entertained us sumptuously and next morning presented a deed to us of Seven of said rights in Shelburn. Turning to me he said 'Thou art a young man and I understand a surveyor. Thee must see to lay out one hundred acres on each of my seven rights, one hundred acres on the lake shore, and six hundred acres so as to benefit my grand children, and take care of those rights, but I

will pay thee for what thee does for me.' We parted with our friend Benjamin in great friendship, and I punctually attended to his request respecting his seven rights.

We then set out for Salisbury, and my brother and Baker proceeded there, but I turned to the right to visit my uncles in Judeah, in order to gain an opportunity to see Mr. Averill with a view to make another trial for settlement. I spent some time to let him know where I was, and hired my cousin Jesse Baker to go with me to Onion river that Summer. This showed that I was in earnest to make said settlements there. I went to Mr. Averill's just at night. Mr. Averill was not at home, but would be that night. Mrs. Averil invited me to have my horse put out, and spend the night here; to which I agreed. Some discourse passed respecting Onion river lands &c. and I informed the old lady that I was going soon there and ment to cut a road &c — had hired Mr. Jesse Baker and others to assist me, and expected Mr. Averil would bear his share of the expence, in proportion to the lands he owned &c. Having slept in the house before, I supposed I might likely have the same room we were in, the other next to Mrs. Averil's bed room. The house being new, the partitions were prepared for, but not plastered. Of course it would not be hard to hear from one room to the other. I therefore wished to get to bed before Mr. Averil got home; as I expected some dialogue would arise between Mr. and Mrs. Averil concerning me. To effect this, I grew sleepy — it was noticed by Mrs. Averil — I was soon sleepy again — Mrs. Averil very kindly invited me to go to bed. I seemed not to own myself sleepy, & Mrs. Averil observed she believed I had been in young company, and had not slept much for some nights in succession. On the whole I went to bed, and must confess that I was really sleepy before Mr. Averil came home; for the clock (struck) two just before he arrived. A question soon arose respecting me and was continued even to the bed room. I learned all the secrets, and went quietly to sleep, and did not hurry myself in the morning. When I got up, breakfast was nearly ready. After breakfast, we began our business. I wished Mr. Averil to be at his proportion of the expence of cutting a road, running town lines, &c., to which he seemed not at all inclined, as I well knew before. I then proposed purchasing his lands. This he was also opposed to. Various questions arose, and most of the day was

spent bringing matters to a close. Mr. Averil at length began to make propositions of giving in part of the rights, if I would give up the deed he had given, and he would give up my obligations, till he offered ten rights. To this I listened with some attention to know in what town I should have them. Mr. Averil seemingly gave me my choice. I chose Bolton. He objected to that, and proposed I should have half in Moretown, and half in Middlesex. After some time I agreed to take the whole in Middlesex, the very town I chose. Deeds were executed without delay. Thus, by two contracts I got ten rights of land, without paying one shilling, and changed all the former writings. On my return to Salisbury, my brothers Heman & Zimry, being at home, were inquisitive to know if I had seen Mr. Averil, and settled with him. I informed I had and taken up all my obligations and put them to guess how it was done. Heman guessed I had got one right of land clear, & Zimry two. I then produced a deed of ten rights, at which they were surprised.

Spring of 1773. Soon after this, I set out for Onion river. I went first to Capt. Remember Baker at Arlington, and we made our arrangements in hiring surveyors, men &c. I took on myself the looking and marking a road from Castleton to Onion river (taking the advantage of the road before marked through Hubbardton.) Isaac Vanornam was the only man I took with me. I took a compass of a size larger than a pocket compass, my pistols for defence against Yorkers, each a hatchet and blanket, with provisions in our packs. We left Castleton about the first, or tenth of May. From the knowledge I had obtained of the country in six days ramble alone the preceeding summer, & other information, I was determined to get a road from Hubbardton to Otter Creek, in a convenient place; then to go down the creek, between that and the swamps to Middlebury falls, which we effected. We found a place that appeared would answer for a ford way, unless in high water; to which place we marked our road, blasing the trees so as to be seen from the other side of the creek. We made a raft, & with setting poles crossed in the bar to learn the depth of water, which we found fordable. After crossing the creek, being in want of provisions, and having previously agreed to have some sent to Mr. Mackintoshes at New Haven falls, we concluded to go there that afternoon. We had found a marked

line, which we concluded that Mr. Smalley &c, (who were making some settlements in Middlebury) had marked to Newhaven falls, as some traveling appeared to be by it. We left our blankets &c, and set out in jackets without sleeves, and made the best of our way to Newhaven river. When we came there, darkness began to appear. We found ourselves deceived both in the time of day and distance. We therefore found it advisable to make a fire and stay where we were. We peeled each a bark to lay under us with some hemlock bows; having nothing to eat and fatigued both went soon to sleep. In the night we were awakened by heavy rain; I said I scarcely ever knew it rain harder. One side was wet to our skins instantly. The only shift we could make in the dark, (for our fire disappeared) was to turn the barks we lay on over us, and lie in the leaves. In this situation, we went again to sleep, & were next disturbed by finding that we were in a little hollow, where the severity of the rain had raised the water, so as to completely wet us, and necessitate us to move or drown. It was a cold rain for perhaps the 20th of May. We searched for fire, but not a spark remained, and we were extremely chilled by the water &c. In a thicket of hemlocks so dark, we could not see one another, and having very little wood, we concluded, we could make no considerable advantage (it being near day) by attempting to make a fire. In this situation, we impatiently waited day light for I suppose about two hours, before it was light enough to follow a line of marked trees. The little river was so swollen by the rain that it was with difficulty we could ford it, carrying each a large stone on our shoulders to steady us. We then made the best of our way to Mr. M'Intoshes, about ten miles, and felt much the better after eating a hearty meal. The next day we took some provisions in our packs, and returned to Middlebury falls, and proceeded to mark a road to Onion river. This road was soon after cut out so as to make a bridle road, through which the late Governor Chittenden came in the course of the summer, and contracted with said company, for the lands his heirs now own. My brother Heman and others visited Onion river by the way of that road in 1773. Thus in a short time, I led a people through a wilderness of 70 miles; about the same distance that took Moses 40 years to conduct the children of Israel.

On my arrival at Onion river, Baker had come by water with

stores, workmen &c. We then made our arrangements for business; I took on myself the principal conducting surveys, exploring county for purchase, &c while Baker saw to our stores, building, farming and when he could some times, surveyed, and was a worthy active partner.

In the course of this Summer, to prevent settlements under N. York, Col. Ethan Allen with near one hundred Green Mountain Boys came to New Haven falls, and erected a block fort, disconcerting a party of Scotchmen brought out from Scotland by the influence of Col. Reed to settle there.

For personal safety, &c. Capt. Baker and I thought proper to erect a block fort near the falls of Onion river, twenty by thirty two feet, every stick of timber was at least eight inches thick. In the second story, were 32 port holes for small arms. The roof was so constructed, in case of fire, we could throw it off — the second story jutted four inches over the other, so that we could fire down, or throw water to put out fire; and the fort was built over a boiling spring for certainty of water. We made double doors, blocks, for the windows, and every part proof against small arms.¹ We never walked out without at least a case of pistols. In this situation, we were a terror to the New York claimants &c.

The country being fertile, Col. Thos. Chittenden's and Mr. Jona Spafford's purchasing and determining to move,² with other influences, induced men of property and business to commence settlement there; which overturned the objects of the New York claimants, who had contemplated getting into

¹ Wilbur Photostats No. 5002, University of Vermont. Allen estimated the expense of getting supplies to the fort and building the same at 'about £300.'

² The Allens induced Chittenden and Spafford to go to the New Hampshire Grants. On May 17, 1773, Ethan and Heman Allen gave them a bond (facsimile of which is in the University of Vermont, Wilbur Photostats No. 4932), in the sum of £2000, that they would by November 1st give them a deed of six hundred acres each in Williston Township, insuring to them 'the same right to the said different pieces of land as the grantees under New Hampshire originally had.' No consideration is mentioned. On the same day Thomas Chittenden, Jonathan Spafford, and Abijah Pratt gave their bond in the sum of £500 'current money of the Province of New York,' binding them to go to Williston 'by the fifteenth day of April A.D. 1774 and from that time forward except in the winter season constantly employ three men in clearing land they purchased of the Allen's and Baker in company, till they have done and performed the same duty and settlement both as to clearing and building improvement and agriculture as is required of three New Hampshire grantees by condition of the Charter under the great seal of that province require.' Ira Allen assisted them in locating their land. He selected for Thomas Chittenden six hundred acres of fine farm land whose natural beauty is as apparent to-day as it must have been in 1773. (A photostat of this deed is also in the University of Vermont, Wilbur Photostats No. 4925.)

possession of the country contiguous to lake Champlain, (the most fertile part of the Grants), and subjecting the people of the East side of the Green Mountains, which they had effected with their claims on Berkshire county, by surrounding the Green Mountain Boys, so as to subject them to the colony of New York. But these measures disconcerted them. This may be considered as a necessary deviation from the subject began upon.

In the course of this Summer, several matters happened, worthy of notice. (It was truly a time of enterprise.) I shall notice some.

Early in this year I took particular view of Burlington Bay, and the lands adjacent; and considering its situation in different respects of consequence, I accordingly took a survey on the beech, and if I mistake not, found it to be from the North end of the beech, to the South, three miles and fourteen rods. This I did in a hot day for curiosity. Further remarks will be made of this place hereafter, from particular considerations.

About the month of July, from the particular attention paid, by the Green Mountain Boys respecting N. York Surveyors, &c., information was sent to Capt. Baker, that a surveyor was surveying lands under New York claims, at or near Waterbury, on Onion river. Baker and I held a consultation. In this case, we determined that no York surveyor should survey on Onion river with impunity. It was determined that I should pursue him. I took with me three men, viz, Isaac Vanornam, George Patterson, and William Stewart, who were supposed to be the best travelers of any in our party. We took provisions and spirits in our packs and set out in search of the surveyor, who, we were informed was Mr. Gale. When we reached Waterbury, we looked out for his new lines, without discovering any. We went into Middlesex and Berlin, without effect, and then turned Northeast. In a level thick, and small timbered piece of ground, to the West of Stephens branch of Onion river, the dog we had barked earnestly. The man with me declared that there was something of consequence, and ran hastily on. For my own part, I kept a look-out for lines and did not hurry; but soon heard the guns fired. At this, I took a quicker step and soon found a large Moose prostrated. Then I learned that the Moose made but a slow way ahead, by reason of very thick staddles, in consequence

of his horns, and the activity of the dog, which enabled the men soon to come up with him. We skinned him, hung up the skin and had a feast on Marrow bones &c., spending the remainder of the day and night there. We had with us a wooden gallon bottle, full of good spirits, when we set out and we took turns in carrying it. The bottle fell to my lot. This morning over the Moose meat &c, it was easily emptied; when I took it and placed it ten rods distant, the head towards us, took my gun and put a ball through it. The men followed the example, and every one put a ball through the bottle. We then set out in search of Mr. Gale, traversing the country different ways for lines without effect. We went into Montpelier, to the top of a high ridge. (I have named towns from the knowledge I have obtained of the country since, the rivers &c. passed, for it was then all new to me.) I there climbed a tree to view the adjacent lands, to guess where a York surveyor would most likely lay out lands. I then went down and a question arose what measures to pursue; for we were nearly out of provisions, perhaps one meal apiece. We went a little distance and camped for the night to determine what to do, for we were on short allowance, to return to the falls of Onion river, or, the other way, we must go to Corinth first, which in fact was my intention; supposing from the discoveries I had made of the country, and parts we had traversed, that if there was a York surveyor in the wilderness we should cross his lines in a direction to old Kingsland gaol (a gaol erected for a half shire in Gloucester, twelve miles from any inhabitants now Washington as granted by Vermont) or we should gain information of him amongst the inhabitants before, or at Connecticut river. Besides I wished to explore the country through to Connecticut river, that I might form a better judgement of the consequence of the country contiguous to lake Champlain. With these views I proposed to my men to go into Corinth for provisions &c. and that we would take a direction to come to Steepers old Cohoos marked road (by which some travel had been from Connecticut river to Onion river) at or near the foot of Kingsland Hill, which I had been informed was about three miles in ascent. Concluding that my men would not look with attention for lines, as we were going short of provisions, I therefore determined on the course to go with the advice of the men, and gave the compass to I.

Vanornam, for him to lead the way that I might pay the more attention to lines &c. In the morning, we set out from about two miles North of the main branch of Onion river, in Montpelier, and Vanornam led the way very fast. At about eleven o'clock, after all the men had passed, I discovered a new line that had been run that Spring from appearances two months before. This was so old that the men thought it not worth attention. But traveling a little distance, I discovered horse's tracts. From the growth of the weeds that had been broken down, &c, some tracts were older than others, and the last about fourteen days before. This induced a belief that it was a line that pack horses carried provisions to Mr. Gale by. We followed it some distance to a river without further discovery. A council was there held whether to pursue that line and risk our chance to find the York surveyor, and get provisions from him. I was for pursuing the line at least till night, although in the wilderness without provisions, but the men declined further pursuit. Had we crossed the river and gone half a mile, we should have found one of Gales camps and a letter directing where he was, and we might have found him that night. (This I was afterwards informed.) We again took our course, and found Sleepers old road, and soon the foot of Kingsland Hill. We followed the road up the hill. Vanornam quickened his step up the hill, challenging all to keep up with him. In about one mile, G. Patterson fell behind — in about one mile more Wm. Stewart proposed making a stop; but Vanornam declared, as he had before, that the man that did not keep up, should be considered tired, and he was determined to know who was able to gain Kingsland Gaol first. Stewart notwithstanding fell back, but Vanornam and I made no stop till we came in sight of the old Gaol. We then walked slow. It was a question which of us would have failed first. Vanornam then gave his reasons for walking so fast the whole day. (considerable of the way was heavy traveling in consequence of the juniper bushes that were thick, white maples &c.) When I picked the men to go with me Patterson and Stewart boasted of tiring me &c., when Vanornam assured them that they would find more than their match to tire me. They gave boasting words, which induced Vanornam to put the matter to the test as aforesaid. We made a fire, found some small potatoes, which we pulled and roasted. In the

meantime, Patterson and Stewart came up. Vanornam then passed some hard jokes on those who fell behind.

That evening Messrs. Baldwin, Wilson, Rankins &c, came to the old gaol to lodge on their way to Onion river to purchase lands of Baker and Allen. We proclaimed ourselves to be hunters from Otter creek going to view the country up Connecticut river &c. In the course of the evening, the characters of Baker, Allen and the Green Mountain Boys came in question. I carried on the farce so as not to be mistrusted, making many questions respecting lands contiguous to Connecticut river. But from the account they gave of Onion river we concluded not to purchase on Connecticut R., till we had viewed Onion river; sending word to Baker and Allen to reserve lands of a certain description for me. When Baker received the message, he laughed heartily, informing them who we were &c. From these men we learned nothing respecting Mr. Gale. Next morning we set out for Corinth. Just as we had finished a late breakfast at Mr. Colby's, two packhorses came up, apparently loaded with provisions. From the appearance, and understanding they expected to go to the old gaol that night, I believed the stores were going to Gale. Thomas Butterfield, who had charge of said stores, was jealous from the appearance of our arms &c, that we were Green Mountain Boys in pursuit of Mr. Gale, which I discovered from the questions he asked. In this situation I paid my bill without loss of time, and set out for Connecticut river. As soon as we were a proper distance in the woods, we held a council. I proposed returning and going round Colbey's & come to the road and see Butterfield pass, and pursue him to Kingsland and make a prisoner of him with his partner. The men with me declined, thinking that to have two prisoners, and then undertake to take a surveying party of 6 or 7 men was too much. I urged hard the enterprise, as we could get supplies of provisions, cause the men to be pilots, and take the other party on surprise, and having each of us a gun and case of pistols, we had nothing to fear. The facts were Vanornam had a sister living on Connecticut river, that he had not seen in 15 years, and that he wished to see and induce her and family to move to Onion river. The other two were really cowardly fellows (as the American war afterwards evinced.) I was therefore necessitated to go to Connecticut river, to Mr.

Hutchinson's in Haverhill, for provisions, and to gain information; which I effected in a few days and set out again in pursuit of Gale. By the information I had gained, I found I should have to go back to the line I discovered as aforesaid. From Kingsland, the aforesaid horse tracks were our guide, as they were carrying stores to Mr. Gale. On crossing the river where we before left said line, in half a mile, we found one of Gale's Camps. We proceeded with vigor, till we came to the end of a line and a corner was made apparently that day; for we saw fire where they slept the night before, the water was riley in the tracts, and the weeds broken down not wilted, in a swale some distance before we came to the corners. But the corner was made on dry ground, and no line from it, nor tracks could be traced. Here ended our expedition. The facts were, as I afterwards learned of Butterfield, he was jealous of us & expected to have been taken after he left Colbeys, and had hastened to inform Gale, who took the alarm, and with great expedition ran a line to form the corner of a patten, ordered his men carefully to depart from the corner, to leave no traces of them, quit his surveys, and return to Connecticut river. By his watch, he left said corner at twelve oclock; and by my watch, I came to it at one oclock the same day. Thus after missing two opportunities to take Gale, I missed him the third time by one hour. This expedition had nearly the same effect in terrifying N. York surveyors, as though Gale had really been taken, for they found by this unremitted perseverance that there was no safety for them in any part of the district of the New Hampshire Grants, however far in the wilderness.

From said corner, we returned on our way home, crossed the North branch of Onion river, at the fordway, just by where Col. Jacob Davis has since built, and went down the river to the falls aforesaid, where we arrived on the evening of the sixteenth day. This and Warner's expedition in the Summer of 1772, in pursuing Mr. Cockburn, and taking him on Bolton Mountains were the most persevering pursuits after New York surveyors ever made in the days of the Green Mountain Boys, and shows the persevering spirit that influenced the defenders of the rights of the people of the district of the New Hampshire Grants, at that early day. The unremitted exertions of the Green Mountain Boys laid the foundation for the

independence of Vermont, and had a powerful influence in bringing forward and perfecting the independence of the United States, &c.

1773.

In the course of this Summer, Capt. Baker and I agreed to take a view of lake Champlain, its islands and the lands contiguous to the lake shore, to the South line of the Province of Quebec, the 45° of North Latitude, which line we had been informed had been run, Monuments erected by the lake shore, and the timber cut out of the way one rod wide on the line, by order of the governors of the colony of New York and province of Quebec. We therefore supposed we could find said line by the lake shore and on the land. We agreed to take different courses to gain more general information; Baker to go by land, taking Isaac Vanornam with him, while I was to take a canoe with one man and go by water and meet at a time appointed at the province line. We parted for that purpose, having very little information of the country, except that the province line was run as aforesaid. I had no knowledge of the multiplicity & situation of islands from the mouth of Onion river to the province line. I had only been informed that there were some valuable islands. I had very little knowledge of watercraf, and the man with me had never been on water in any watercraf in the course of his life, whom I found to be very timid. Turning round Colchester point, I took a course, crossing the sand bar, making a small stop on the next small island, climbed a tree, &c., to look out &c. Contrary winds delayed us. We got under the east shore of long Island, and kept under it till consequence of a Northwesterly wind, till we came round the point of it. The wind was then so strong to [from] the North, that we could make little head way against it. I discovered Tamers improvement on the place now called Duchman's Point. Being some at a loss whether I had not crossed the province line, the wind being against us, and to gain information, I hoisted a sale and bore down up [on] said point. On arriving I found Tamer nor his wife could not speak or understand one word of English. We passed the evening getting refreshments &c. In the morning, I with my pen made a sketch of the islands, lake shores, &c, then making signs by my pen to draw a long line across the whole, Tamer guessed

my meaning, and showed me where to draw the line. By this I found we had not gone far enough North. The wind being in the West I got under the East shore of what is now Alburg and continued on till I found the line. I then set my compass for an East course to cross Missique bay, and found a tall pine on the top of a ridge in my line, which was my land mark to steer to, that I might come directly to the Monument on the other side of Missique bay. Having had a little experience in managing a canoe, and having a large sail, and there appearing to be considerable wind out from shore from West to East, so that I should go directly before it, I resolved to have a pleasant sail in my small canoe. I put in four large stones for ballast, put up my full sail, which was large enough for a canoe of double its size, belaid the halyard well, gave the sheet ropes to the man that was with me, instructing him to tend the sail according to my orders. I then pushed out from shore, taking the steerage to myself. I soon got under a brisk gale. The aforesaid tree I could see over the top of my sale, and we were much delighted in passing with such rapidity through the water, till getting further out from shore, I found the wind much higher than we expected. In addition to this a severe gale came on. As we passed, the waves, the tops of which were foaming and white, were higher than our canoe on both sides. The man with me was exceedingly frightened, and became almost as white as the top of the waves, and I certainly heartily wished myself on land; and the only way for it was to keep our canoe, sale, &c steady and go foreward, for it was impossible to turn about. When we got within about three quarters of a mile of shore, I stooped low and looked under the sales to see what the landing was. To my great surprise a white perpendicular rock appeared 40 feet in height, against which the water broke with great violence. Having the presence of mind carefully to view the breakers along the shore, I observed a place a little to the North, where the surf appeared less confused. To keep up the courage, as much as possible of the man with me, I told him there was good landing, best a little North, and ordered a trifling alteration in the sails, manageing the steerage with my paddle, to gain to the North by degrees; for the wind and waves were so high, we could make but trifling alteration in our course, without filling with water. By manageing with the best economy possible, I

gained near the middle of a sand beach, perhaps eight rods wide, where we went under full sail on shore. The next wave broke over my head, and filled the canoe with water &c. We gathered our provisions, clothes &c, floating, and thought ourselves well off to be on land.

I then went in search of Baker, and soon found the province line, but no signs of Baker. I hallowed, &c, all in vain, loped bushes, &c, to my canoe, and spent the evening in drying our clothes, provisions &c. Next day I went out about three miles on the province line to view the country &c. The third day I waited the arrival of Baker. The wind till that afternoon had continued very high. Then lulling, I went out in the canoe to catch fish. After getting a supply of fish, going back to the little beach, I observed something white on a cedar tree under the ledge of rocks that induced me to suppose it might be a letter from Baker to me. I landed at the beach and went under the high rocks to the tree and found a letter from Baker to me, dated the day before I arrived, in which I was informed that he should return near the lake shore, on the points, making signals &c for me. I returned to my fire completely wet by the water's breaking its swells &c against the rocks. It being just night, the wind unfavorable, we dressed our fish, roasted them with some raw pork, and with bread injured by water, &c., made a delicious supper; for the woods &c, gave us appetites equal to the occasion. Indeed in such circumstances coarse fare is better relished than the greatest luxuries in ease and plenty. In the morning the wind had ceased. In the calm, we set out for Onion river, keeping a lookout for Baker. We passed his signals on Hog Island Point, St. Albans Point, and on the shore near the South line of Georgia. Next morning about two miles up Onion river, I met a party of Seven men in a small batteau, sent out by Baker in search for me; as he was apprehensive, as the wind had been so changeable and high, that I might be cast away and suffering on some island. We went into the batteau putting the canoe in tow, and found Baker had furnished a plenty of spirits, &c, and we took a good refreshment. I then took the helm, and eight oars manfully applied, soon brought us to the falls and released Baker's anxiety. When we recapitulated our discoveries, we found that a pleasant fertile country had appeared to our view. Baker, going by land, discovered the

quality of the soil; and my going by water, out on the lake, climbing trees on islands, &c, evinced that a level beautiful country extended a large distance from the lake. This excursion, and that the fall before to Mansfield, the view of the country from tops of trees on Mansfield mountain, and my pursuits after Mr. Gale to Connecticut river, &c., had furnished us with a general knowledge of the country.

Then ambition, vigor of youth, with a firm constitution united to acquire a character and fortune; but I had many difficulties to surmount. I had very little learning, what property I had acquired was principally in lands in Poultney, Castleton, and Hubbardton, which I had left in the agency of my Brother Zimry Allen, to sell to the best advantage. After these discoveries, I wrote to him pressingly to sell the whole, or any part that would command ready pay, or that could be realized early the next winter, to apply to the purchase of lands contiguous to Onion river, and lake Champlain; for that was the country my soul delighted in, and where, at all events, I was determined to make settlement. Zimry was an enterprising young man, very attentive and active in business, but of slender constitution, and could not therefore accompany me to the woods, but could ride about and attend to business. But the disputes with New York, the great quantities of land for sale, the towns aforesaid, especially Hubbardton, not being of the best, put it out of his power in the course of this year to make any sales of consequence.

When the partnership of the Onion river Co. was agreed on in the preceeding winter, my brother Heman engaged me to look out for him the best place for trade, at or near lake Champlain. He then contemplated Skeensborough, as in his opinion, from the knowledge of the country he had acquired, to be the place; but wished me to have a view to this object when exploring the country; which I faithfully attended to, and gave Burlington Bay the preference of any part of the country, from the discoveries I had made in the preceeding expeditions. Skeensborough I considered as an unhealthy place, therefore illy applied to Hemans weakly constitution. Besides, although the head of navigation in the lake, it was too near the river Hudson to be of consequence. From different considerations, Burlington would, from its situation, become a place of consequence; and that the fertile intervals, &c,

adjacent, being in large proportions owned by the Allen family, might induce them to move to that part of the country, and by their influence and friends, make it of consequence in their day, both for commerce and society in the neighborhood. With these views, I went and pitched a number of hundred acre lots contiguous to Burlington Bay. The land in itself, was the greater part poor looking pine plain. This move of mine astonished my friends, who had observed me to be very enterprising in pitching good lands, and that much good lands remained untouched in Burlington. I gave no reasons for my conduct, which raised many questions and disputes. Indeed I did not but in part explain myself to my worthy friend and partner Baker, for I found he had little opinion of that place; but looked for good lands more than situations, observing; that good lands would certainly be of consequence, but it was hard to determine where places of consequence would arise in a country so extensive and new; that after surveying the best of the lands by pitches, we might in consequence of this knowledge be able to judge of situations and pitch or purchase any lands we might think of consequence.

These remarks were of much good sense, but Baker had not explored the country so much as I had. I had settled my opinion, from which I was determined not to depart, nor give any further reasons. Frequent satires passed on me respecting Burlington pine plain. One rainy day Stephen Lawrence, Joshua Staunton and others had been fishing at the falls the rain proving too hard, they came into the fort, where Baker kept spirits &c for sale, and over a boile of punch began severely to bullying me for pitching Burlington pitch pine plains. (By nick name I was called Stub.) They carried the joke so far as to call Stub a fool for pitching such lands, that he could not give any good reasons for it. *Written June 20, 1799 J. T. Staunton*¹ *will remember this, if ever he reads it.* Stub as cheerfully answered

¹ Heman Allen induced Joshua Stanton of Salisbury, Connecticut, to go to the Grants and on March 28, 1774, gave him a bond in the sum of '£500 lawful money' to deed him land in Colchester to be selected by Stanton and Ira Allen. Chittenden and Spafford witnessed the bond, a copy of which is in the Wilbur Photostats No. 4990, in the University of Vermont. Stanton became a very influential man in Vermont. Other bonds were given by Ira Allen and his brothers. He was the one that located the people and gave the deeds to take up the bonds. Stanton did not locate at once and Ira Allen took up Heman's bond (Heman having died in May, 1778), and gave a new bond to Stanton for £100,000. This seems excessive, but Ira Allen, being so certain that he could deed the land, may have been indifferent as to the consideration.

to that name as to any other; resolving to take them a little in, and give no satisfactory reasons neither, observed that he was surprised that they could not see use for such lands, considering its situation &c. & that for a double bole of punch, he would give his reasons. This they agreed to give; but Stub would have the punch in & take a good drink before he began to give his reasons. This was done with so much apparent candour, that the company complied and the punch was brought in, and Stubs took the first drink and passed it round. All attention was then paid for Stub to give his reasons for pitching Burlington pine plain; when Stub, putting on a serious countenance began, That the life of man was by sacred writ estimated at three score years & ten, that although some survived that period of life, yet many fell short and none could tell the time of their dissolution; that dry pine plain was easy digging, and good carrying ground, and if as suggested by some, the spirits of the deceased conversed with each other and viewed the conduct of posterity, it would be convenient passing from tomb to tomb through that light dry earth, and to see from the high sand bank the busy multitude carrying on commerce in Burlington Bay. This serious satire, and having first got a double bowl of punch induced Stubs neighbors to say very little more to him about Burlington pine plains for considerable time.

The latter part of this Summer Heman Allen, with others from Salisbury, came to visit Onion river. I was in the wilderness surveying when an express was sent to me informing of my brother's arrival and desire for me to come in, which I quickly complied with. In the mean time a Capt. Fry made a bargain with and bought of Baker and Heman, lot No. 1 at Burlington Bay, 100 acres, for £15. which took the most advantageous part of the bay. The contract was compleated, and Fry gone before I got out of the woods. Soon after I came in, Baker and Heman informed me, boasting of a good bargain they had made of one acres of my pine plain; that they had sold it for as much as good interval &c. I informed that I had proposed that place for my brother, as being advantageous for commerce, &c., that they were extremely wrong in selling that place; and I found so much fault, that at length considerable warmth arose on all sides, when I closed the dispute by declaring that I would repurchase that lot, the next winter

at all events; which I carefully attended to, by a journey of 150 miles, and giving five pounds more for it, than it was sold for, and got back the conveyance given.

My brother wishing to gain some knowledge of the lake and lands adjacent, I took some stores in a canoe, and my brother for two or three days viewing the country. One night we slept in Shelburn bay, where a small improvement had been made under New York; a little log house, and some straw in a stack. I made a fire in the house, and laid straw on the floor to sleep on. Hearing boats rowing in the bay, I was apprehensive that some N. York party might be in pursuit of me. Attention was paid till we concluded that it was Potiers people, who had been cutting wild grass for hay at the mouth of the river Laplatt. We then laid down to sleep. I laid next to the door, which was open, and put my pistols in the holsters, as I carried them in the day, under my head in the straw. In the night, in a dream, I imagined the house surrounded by Yorkers to take me; My brother living in Connecticut &c, he was in no danger if taken) and I thought I saw one man with his gun at the door. There was no window or place to get out, only at that door, & the room dark. I thought the only means of escape was to get my pistols from under my head and out of the holsters so softly as not to be perceived and draw up my feet for a sudden leap out at the door, and to discharge a pistol as I went, to clear my way, and through fire, smoke, and fright of the Yorkers at the door, make my escape to the woods and to fort Frederic, raise a party to rescue my brother, if they should presume to detain him, and to take the York party. Thus having concerted my visionary plan, I proceeded with great caution to put it into execution. I got my pistols from under my head and out of the holsters — got carefully upon my knees and elbows. By some means, this wakened my brother, as I was between him and the light of the dore, he perceived my situation, and heard the pistol in my right hand cock, (for I had one in each hand.) He was alarmed, siezed hold of me and I awoke. Thus ended my visionary battle. Had I been awake, and really attacked, I could not have concerted a better plan of escape. This alarmed my brother so much that he slept no more that night.

In the course of this Summer, I laid out work for other surveyors by running some of the out lines of bodies of lots, and then drawing plans for them to proceed by. In one of these

expeditions in Essex, in concerting the allotment of lands contiguous to Essex little river & North thereof, I found a difficulty in my compass, that I could not account for. The facts were that once in six or eight setting, the needle would suddenly settle or rather stop with a little trembling from the true line to 30° as chance might happen. By giving the compass a little thump, the needle would move and settle right. I repeatedly took off the glass, &c.; inspecting every part of the compass, to find the cause; but all my searches &c for three days were in vain. By this time I got intolerably vexed, and when I went at night to a little camp, we had made for stores &c, I gave my men double rations of spirits. I informed the men that I would go no more in the woods with that compass, till I could learn the cause of its irregularity. I gave them all leave to go fishing next day, but Isaac Vanornam, and him I requested to go to a certain brier hill and kill a two year old moose I had seen there, about a week before, and having no gun with me, I moved so slow out of his sight, although looking at me, in 18 rods, that I did not disturb from his favorite brier hill. Having thus arranged business for the next day, we went to rest. In the morning, my men got up early, and went on the business aforesaid. I did not hurry myself, but after the sun was up a good height, I got up and began to inspect my compass, when the mystery soon appeared. The three preceeding days were all dark, cloudy days, but this morning was pleasant and fair. Just before I left fort Frederic, I had washed the glass to my compass, & wiped it with a woollen cloth, a single hair of wool stuck to the glass — one end down like a hook, so that when the needle traversed close to the glass, it caught. A small jar would shake it off; and this was so small and of such a color as not to be perceived in a dark day. Here ended the mystery. The fishermen returned loaded with fish, and Vanornam with the moose skin aforesaid. Thus all were successful that day. The moose was as a two year old beef, and was carried to the falls for use.

Late in the fall, Baker & I contracted for seventy bushels of wheat of Messrs. Parsons and Logan of Shelburn. I went with a party of men in a batteau to receive the wheat, pay the money, and send it to Carr's Mill N.W. of Crown Point. Having got the wheat on board & a favorable light gale of wind blowing, I concluded to sail to the mouth of Otter Creek,

then leave the boat and take a view of the land between Otter Creek and Onion river. On my return, at about ten oclock at night, with a light breeze, full moon, and clear night, we came near the mouth of said creek. I directed one of the men to tie up my blanket, with a piece of bread and raw pork, and set it by me, that as I had the helm, I would bring the boat so near a flat rock and bold shore, that I could leap upon it, & not stop the way of the boat, as I was doubtful that a south wind would soon arise. This I effected, and the boat just gained the mill before the wind changed. I took my leave of the party, slung my pack and took my hatchet in my hand, and went into the woods by moon light. About half a mile before, I saw a place that suited me to camp, where I found a dry tree had fallen and broken up, and made a plenty of wood. I made a fire, kicked the snow off of a place to sleep, cut hemlock boughs for a camp and bed, and slept very quiet. Before day, I awakened & concluded to take breakfast and be ready to walk as soon as it was light. Through mistake, a piece of raw beef, very fat was in place of raw pork. However, I proceeded to eat it raw, without salt, with bread. This I must confess was a tough breakfast. At day light, I began my march. Near day a wet light snow fell, which loaded the brush &c exceedingly heavy, so that it was very bad traveling, and gave a poor opportunity to view the country. The snow in all was about six inches deep. Under these circumstances, I set out in the gray of the morning, taking a N.E. course to a wind fall, where scarcely a tree was standing, and the brush about twelve feet high. This glade coming directly in my way, determined me to go through it, notwithstanding it was almost impossible to get along in it, for the logs, brush and snow. After traveling a short time in this thicket, I came to standing timber, I went a little distance to gain high ground for the better traveling, and took my course again without even looking at my compass, and in a few rods, I discovered a marked line. From its appearance, I concluded it to be the allotment of Ferrisburg, if so it would be E.&W. I looked at my compass and found I was right. I soon came to a man's track, as new as my own, steering my course. It not being then sunrise, I was confident that the man could not be far ahead. I looked and hallowed for him, but turning and looking back on the track, I discovered my own camp &c. I could not help laughing at the

joke, all alone. This was the first and only time I ever got completely lost in those woods, and this was of short duration; for without the help of the compass I had got my course perfectly right, soon after I was out of the wind fall. I then proceeded through the wind fall, continuing northeast, nearly to the line of Hinesburg, & then North west and got to Mr. Parsons, in the evening, after a very smart walk, when refreshment and rest were very comfortable. Next day, I took a circuitous rout Easterly into Shelburn, through the middle of Burlington, to the falls of Onion river.

By such exertions as the proceeding I gained the knowledge of the quality of lands in the towns contiguous to Onion rivers, and lake Champlain, to purchase in the best terms, lay roads, &c., and introduce settlements.

CHAPTER I

SCOUTING AND FIGHTING

1775

WHEN the Dorchester Company came to America ten years after the founding of Plymouth, Samuel Allen was one of their number. Though there was little individually to distinguish him from his companions, he lives as the ancestor of men whose heroism and wisdom were shaping influences in Colonial and Revolutionary times. A grandson of the early settler, also named Samuel Allen, settled in the town of Deerfield, Massachusetts, then the extreme northwestern frontier of the colony. Here in 1708 his son Joseph was born. Samuel Allen, with his wife and eight children, moved to Coventry, Connecticut, where, on Joseph's tenth birthday, he died, leaving his family an estate considerable for those early days. The pioneer instinct, that even then was turning westward, impelled the family, two years later, to move to Litchfield, Connecticut.

In Litchfield Joseph Allen, during youth and young manhood, lived the hardy and self-reliant life of the frontier. In Woodbury he met Mary Baker, sister of Captain Remember Baker, whose son's name¹ is a distinguished one in those stirring events, later to be staged in Vermont. On March 11, 1736, Joseph Allen and Mary Baker were married. One may picture the wedding journey as brief — a sleighride from the home of the bride to her husband's home in Litchfield, the dower linen chest being their luggage. Their first child Ethan was born January 10, 1738. No portent seems to have been read among the quiet stars of a New England winter night over the birth of this invoker, in later days, of those strangely coupled deities — the Great Jehovah and the Continental Congress!

Taking advantage of the policy of Connecticut in disposing of public land, Joseph Allen and others purchased the township of Cornwall, where they settled in 1740, still lured by the call of the advancing frontier. In this town Allen was a leading

¹ Remember Baker went to Vermont in 1765. Ray Stannard Baker, a descendant, has just written the life of Woodrow Wilson.

figure in civil and apparently in religious life, bringing up his six sons and two daughters in the faith of the Episcopal Church. Here in Cornwall, on April 21, 1751 (Julian Calendar), was born Ira Allen, the last child of these adventurous pioneers. The adoption of the Gregorian Calendar in September of the next year, which made a change in the date of ten days, explains his reference to his birthday as May 1. When Ira was not quite four years old, his father died, leaving the family a comfortable property. The oldest son Ethan, then preparing for college, gave up his hopes of further education, and became the head of the family at seventeen. Of Ethan Allen's subsequent career there is little need here to speak. His military service is well known; and his lack of formal education did not prevent his vigorous mind from framing and voicing such controversial utterances as 'Reason the Only Oracle of Man'¹ — which gave him undeserved notoriety as an atheist.

Ira Allen, however, is less well known, though he wrote more books and pamphlets than his brother and rendered public service of far greater importance to Vermont. This comparative obscurity perhaps is not strange, when it is remembered that the glamour of the military Ethan has dazzled the historian and that the quiet and modest service of the civilian Ira was unadorned by the trappings of high office. It was his nature to feel no jealousy when others reaped where he had sown, and no pique that large honor did not reward his services. Such qualities add a fitting touch to the character of a man who was one of the largest landed proprietors in New England and who, at the age of forty, had established a new State. The span of his life from 1751 to 1814 is comparable to the period just one hundred years later in the great changes which occurred, not only in the map of the world, but in the lives of the people. While his part in these world changes was an active one, it is not strange that his service and personality have been obscured in the teeming record of these eventful years, starred as they are with the names of Washington, Jefferson, Franklin, Madison, and others of illustrious fame; and marked by changes in thought and political system momentous to the world.

Ira Allen was a short, well-built young man, brown-haired,

¹ Anthony Haswell, printer, Bennington, 1784.

with fine brown eyes glancing alertly out of a handsome face. So he looked when in 1770 he rode into Bennington, the most important settlement on the western slope of, what was then called, the New Hampshire Grants. His eyes needed to be alert, for a wilderness lay before him, and his life was all to be made. Bennington, however, was not without a familiar Allen face, for Ethan was already there, and in that year organized and became the well-beloved leader of the Green Mountain Boys, a band destined later to be famous, and to provoke anger and fear not only in the august councils of King George, but nearer home, in Albany. Ira Allen was welcomed to their company and appointed one of their lieutenants.¹ He accepted, but his thoughts already ran upon another career. The record of his life in the woods from 1770 to 1775 he has given us in his quaint autobiography. In addition to the activities outlined in his sketch he became proprietors' clerk of the townships in which he owned land. As such it was his duty to record all public documents. One of the first papers filed by him was the bill for surveying his rights in Burlington.²

The political affairs of the Onion River Company, which was a partnership, were to be in the hands of Ethan Allen. This involved preventing the 'Yorkers' from taking the lands that had been granted by the Governor of New Hampshire. He consequently called and managed the first convention held in the New Hampshire Grants of which there is a printed record.³ There is no evidence that Ira Allen took any active part in this meeting. He was, however, present, and must have gazed with growing seriousness on the picturesque group of frontiersmen there assembled. Dominated by the vigorous personality of Ethan Allen, they were men to challenge attention — bronzed by winter winds, faces stamped equally by toil and resolve, hands hardened to the axe, and ready at the lock of the rifle — they looked little enough the

¹ *Ira Allen's Letters to the Governor of Vermont* (Philadelphia, 1811), p. 44.

² Wilbur Photostats No. 1774, University of Vermont.

³ 'The/Proceedings/of the/Convention/of the/Representatives of the/New Hampshire Settlers/containing/the Covenant, Compact and Resolutions/ and also/Twelve Acts of Outlawry/Passed by the Legislature of the Province of New York/against those settlers, and their answer to the/same/Hartford/Printed by Ebenezer Watson near the Great Bridge 1775.'

The names of those present are given in Ethan Allen's handwriting in the only copy of the records located, now in the library of the author.

'pack of lawless vagabonds' that the King's officers had contemptuously styled them. A cool appraisal of these men, had it been possible, would have been of equal service to Governor Tryon at New York, and to the officers of the Crown.

The records of the Convention open as follows:

At a General Convention held at Manchester, January 31, 1775 by the Representatives of the inhabitants of the several Townships, granted by the Government of New Hampshire, and situate to the Westward of the Range of Green Mountains, and Northeast from the Province of the Massachusetts Bay, and on the Rivers of Otter Creek and Onion River, and the lands contiguous to Lake Champlain, which large tract of land to the Forty-fifth Degree of Northern latitude is comprehended in those townships.

Then are recited the aggressive acts of the New York Government, engaged in an obstinate attempt to dispossess the settlers on the Grants west of the Range of Green Mountains of the cabins they had so recently built, and of the fields they were still struggling to wrest from the forest. The Convention listened with indignation and contempt rather than fear to the acts of outlawry passed by the New York Assembly on March 5, 1774, which condemned Ethan Allen, Remember Baker, Seth Warner, and others to death without trial. In answer to this, the outlawed men on April 26 issued a reply which was published in the *New Hampshire Gazette*, No. 915.¹ Part of this spirited and unsubmissive reply, addressed to 'Gentlemen, Friends and Neighbors,' was also issued as a broadside and circulated among the settlers in Albany and Charlotte counties in the western half of the Grants. The possibility that New York might add to her list of outlaws did not deter the Convention from declaring themselves independent of New York until the King should decide their controversy. Nor was there any hesitation in preparing to defend their homes. The officers of the Green Mountain Boys were to see that every member was equipped with 'a good firelock, one pound of powder, ball or buck shot, answerable, and a good tomahawk.' As the young surveyor Ira listened to these ominous proceedings, and noted the resolute faces of the other forty-five members of the assembly, he must have reflected that settling the wilderness promised to be no peaceful matter.

¹ *Records of the Council of Safety and Governor and Council of the State of Vermont* (Montpelier, 1873), vol. I, p. 477.

Soon after the Convention, on March 15, 1775, Ethan Allen presented to the Onion River Company bills incurred in the printing of the Convention records. They include '£6 cash paid Daniel Sims for transcribing my pamphlets,' and 'Ebenezer Watson's bill for printing pamphlets £59-12-0.'¹ The bills were approved, and Allen was given the privilege of taking his pay in the company's land. It was also agreed that he be permitted to make a donation of lands to persons active in declaring the independence of the Grants. The paper drawn to this effect was signed by Remember Baker, Heman Allen, Ira Allen, and Ethan Allen, in the order named.

Stirring events were now brewing in which, though less conspicuous than his brother, Ira Allen played his part. From surveying in the Vermont woods he was called to assist Ethan Allen in preparing a blow of surprising audacity. There is no need to relate the well-known story of the capture of Ticonderoga and Crown Point by Ethan Allen, on May 10, 1775, with a force of one hundred and eighty undisciplined men, armed only with firelocks, and without a single bayonet.² It was the first blow at Great Britain in the Colonies after the British aggression at Lexington. Picturesque though the whole affair was, with the swift assembling of backwoodsmen, the march by mountain and swamp to the shores of the lake, and the daybreak thrust into the unprepared fort, these features pale before the sheer audacity that hurled so insulting a defiance from a band of farmers, on an unprotected frontier, at the proud power of the Mother Country.

A month later Ira Allen was called on to conduct a very different enterprise. His own account of it appears in his 'History of Vermont':

In June, 1775, Mr. Brook Watson [Later Lord Mayor of London], a British merchant with two young *noblesse* of Canada, arrived at Crown Point with passports from the Continental Congress, directing the commanding officer to give them a passage over the lakes into Canada. The officers and men belonging to Colonel Hinman's regiment were not acquainted with the lake and country: therefore Lieutenant Ira Allen and some Green Mountain Boys undertook to carry those gentlemen over the Province line to some settlements in Lower Canada. Having almost reached the south line of Canada,

¹ *Ethan Allen Papers*, New York State Library, and Photostats, Library of Congress and University of Vermont.

² Ira Allen's *History of Vermont* (London, 1798), p. 59.

Lieutenant Allen was convinced in his own mind that Mr. Watson (although he professed to be) was no friend to the American Cause, notwithstanding his papers from the President of Congress and his public and fair speeches at Crown Point; and apprehending danger from some Indians near the Canadian line, (who might not understand or respect flags of truce) gave his men orders to new prime their guns and to be ready for defense, at which Mr. Watson and the two Frenchmen objected and attempted to seize their pistols to prevent obedience to the orders, but they were soon silenced and let their pistols rest. Mr. Watson then requested to be put on shore at the nearest point of land and both parties being willing to separate, the boat was ordered to shore accordingly and Mr. Watson and the two Frenchmen were landed in a swamp three miles from any house with instructions to follow the lake shore until they came to a Frenchman's house. The boat departed leaving Mr. Watson to his choice.

Not long after this expedition, Ira Allen volunteered to conduct a scout to ascertain the true condition of St. Johns, Canada, which had recently been reinforced. In a letter dated Onion River June 20, 1775, addressed to Colonel Benedict Arnold, 'on Bord the sloop at Crown Point,' he wrote that if Arnold would not send out another scout for nine days after he had left, 'I'll loose my life or see St. Johns and know their numbers and motion and whether there is any Canadians or Indians joined them.'¹ This confidence in his powers as a scout was shared by his superiors, and many times it was his lot to penetrate the wilderness and silently skirt the camp of the foe.

Meanwhile the Green Mountain Boys, as an independent organization, were nearing the end of their adventurous career. On June 10, 1775, a meeting of officers was held at Crown Point and Colonel Ethan Allen, Captain Seth Warner, and Captain Remember Baker were selected to consult with Congress on the possession of Ticonderoga and Crown Point. Allen and Warner rode to Philadelphia taking a letter² signed by the officers present at the meeting. They were admitted before Congress on June 23, and Allen addressed that body; after they withdrew, Congress took the letter and the information into consideration. Had Congress acted on Allen's advice and furnished him with two thousand troops, Canada might have been conquered. They did not rise to the occasion. The most they would do was to pass a resolution

¹ Letter owned by Stephen H. P. Pell, Fort Ticonderoga, New York.

² Printed in Force's *American Archives*, 1st series, vol. 2, p. 958.

authorizing the raising of a regiment on the New Hampshire Grants, to be officered by men chosen by the inhabitants, but to be under, or a part of, the militia of New York. Finding this was the best they could hope for, Allen and Warner rode back, most likely the bearers of the resolution referred to, for they went direct to New York City, where the Provincial Congress of New York was in session. On the fourth of July, the Legislature considered the resolution of the Continental Congress of June 23 and, having apparently decided that the captor of Ticonderoga was of more value as a live ally than as a dead outlaw, the Legislature invited Allen and Warner to address them. It was a dramatic moment when the two stalwart frontiersmen, each six feet in height, were admitted to the session, and marched down the aisle beneath the curious gaze of their enemies to take their position near the Speaker's desk. Allen presented to the Congress a list of field officers, including the names of himself and Warner; among those recommended as captains was his brother Heman, while Ira Allen and others were named as lieutenants. The New York Congress voted to raise the regiment.

The cordial reception stirred Ethan Allen's generous spirit to a warmth of feeling to which he gave expression in his letter to the Legislature.

TICONDEROGA, 20 *July*, 1775

RESPECTABLE GENTLEMEN:

When I reflect on the unhappy controversy which hath many years subsisted between the government of New York and the settlers on the New Hampshire Grants and also contemplate on the friendship and union that hath lately taken place between the government and those its former discontented subjects in making a united resistance against ministerial vengeance and slavery, I cannot but indulge fond hopes of reconciliation. To promote this salutary end I shall contribute my influence, assuring your honors that your respected treatment, not only to Mr. Warner and myself but to the Green Mountain Boys in general, in forming them into a battalion, are by them duly regarded — and I will retaliate this favor by wholly hazarding their lives, if needs be, in the common cause of America.

I hope no gentleman in the Congress will retain any preconceived prejudice against me as on my part I shall not against any of them; but as soon as opportunity may permit and the public cause not suffer thereby, shall hold myself in readiness to settle all former disputes and grievances on honorable terms.

I am, gentlemen, with the greatest respect etc.

ETHAN ALLEN

William Marsh, whose name will often appear in this narrative, wrote from Manchester, July 16, to General Schuyler that he had heard of the authorized regiment and that they were to select their own officers, and added, 'I hope you will thoroughly consider before you grant either warrants or commissions for I am bold to say that the settlers nor the committees of the towns in the New Hampshire Grants have not been consulted on this important matter.'¹ Marsh had been a Green Mountain Boy and attended the January 31 Convention. He had, evidently, changed his sentiments, perhaps alienated by what he considered disloyalty to the King, for he was a Member of the New York Provincial Congress, which met in New York City, May 22, representing Charlotte County [Bennington], New York.²

Schuyler soon received further indication of the intention of the men of the Grants to act with their wonted independence, when Nathan Clark, Chairman of a meeting of town committees, held in Dorset, July 26, reported to him that Seth Warner had been chosen Lieutenant Colonel by a vote of forty-one to five for Ethan Allen, Heman Allen a Captain, and Ira Allen a Lieutenant. Both Congress and General Schuyler were surprised at Allen's defeat. Schuyler in fact had already directed Paymaster Livingston to pay Allen as Colonel, £200.

It was feared by Schuyler that the contest between Allen and Warner would result in few enlistments, but neither Ethan Allen nor his brothers took any action to that end. Far from taking offense and sulking in their tents in a fit of Achillean anger, all rallied to the common cause and served with distinction in the Revolution. Had Warner been of similar temper, he would have insisted on Allen's appointment. Warner's regiment was enrolled under the Province of New York, but not without difficulty were men led to enlist under Warner's leadership, nor were those who did so all that could be desired in number or quality. The force was known as 'Colonel Warner's Regiment in the Servis of the United Colonies.'³

The formal organization of a regiment with its dependence on a growing authority closed the career of the band of men

¹ *Schuyler Papers*, New York Public Library.

² *American Archives*, 4th series, vol. 2, p. 1246.

³ *New York State Archives*, vol. 1, p. 534.

under Ethan Allen known as 'the Green Mountain Boys' which laid the foundation of Vermont. Once only did it appear again in the old spirit, under circumstances to be related in another chapter. They were a fearless and independent body of frontiersmen, ready alike to challenge the power of England or defy New York in defense of their homes. The old name, 'the Green Mountain Boys,' was used, not only during the Revolution, but during the Civil War almost a century later, but the old spirit was gone.

In the autumn of 1775, Ira Allen, then a young lieutenant of twenty-four, was attached by General Montgomery to his expedition against Canada. The high spirits with which he must have faced this ambitious enterprise were suddenly saddened by a great personal loss. His cousin and dearest friend, Remember Baker, while on a scouting expedition for Schuyler,¹ was shot by an Indian. He had been Ira Allen's closest companion in many a surveying expedition in the Vermont woods. Together they had planned and had built Fort Frederick at the Falls of the Winooski; and there Ira had lived with Baker and his family. 'Captain Baker was,' wrote his friend, 'the first man killed in the Northern Department, and being a gentleman universally respected, his death made more noise in the country than the loss of a thousand men towards the end of the American War.'² To Ira Allen fell the last service of friendship — that of acting as executor of Baker's estate and guardian of his son and daughter. In September came the news of the repulse, by the British, of the attempt to take Montreal; accompanied by the report that Ethan Allen had been captured and killed. This was another cause of grief to dampen Ira's spirits on his march northward. Though it was afterward learned that Ethan was alive in the hands of the British, the capture of his elder brother, who was almost fourteen years his senior and who had guided and advised him in his younger days, was keenly felt by the young soldier. Writing of the event long after, Ira Allen placed the blame for the disaster on Colonel Warner and Major Brown.³ In this he followed the account of Ethan Allen, who was

¹ See Baker's letter to Schuyler, August 10, 1775, in the Historical Society of Pennsylvania.

² Ira Allen's *History of Vermont* (London, 1798), p. 63.

³ *Ibid.*

severe in his criticism of Brown. Ethan had no soldiers under him, and at the request of General Montgomery was trying to recruit Canadians for his army. He agreed with Warner and Brown to cross the St. Lawrence above Montreal, if they would lend him thirty men, and if they would take those under their command and cross the river below Montreal; together they would capture that city. Allen did cross with eighty men, thirty of Warner's and Brown's and fifty Canadians. Warner and Brown failed to cross or even to notify him. It was claimed for them that they found it impossible to get boats, and that the river was too rough. Some writers have entirely exculpated Warner. On September 28 Montgomery wrote Schuyler, 'Allen, Warner and Brown are at LaPrairie and Longueville with a party of our troops.'¹ It was Warner who notified Montgomery of Allen's capture.² Had they kept their agreement, Montreal would have been taken with little or no resistance, but Warner and Brown were, apparently, not inspired by the resolution that fired the heart of Ethan Allen. What Montgomery thought of Warner's regiment is expressed in two letters. On October 9 he wrote Schuyler, 'Pray send me Yorkers; they don't melt away as fast as their eastern neighbors.' And from Montreal, he writes, 'The rascally Green Mountain Boys have left me in the lurch after promising me to go' [to Quebec].³

Warner and most of his men returned to Vermont in November, though their term of enlistment did not terminate until December 31. Ira Allen, however, remained with Montgomery, and carried to the warship on which General Carleton had his quarters a letter which he presented to the General demanding his surrender.⁴ His most dangerous service was in the attack on Quebec, on the night of December 31, 1775. Montgomery chose Allen and Captain Robert Cochran, a tried Green Mountain Boy, to direct an attack on Cape Diamond,⁵ the high eastern point of Quebec. The attack was a feint to draw off the enemy to that point, and rockets were to be sent up as the signal for the forces under Montgomery,

¹ *Schuyler Papers*, New York Public Library.

² *Ibid.*

³ *Schuyler Letters*, New York Public Library.

⁴ Ira Allen's *History of Vermont* (London, 1798), p. 69.

⁵ Allen's *Copies of Letters to Governor* (Philadelphia, 1811), p. 45.

Benedict Arnold, and Livingston to begin their attack. Such concerted action always gives opportunity for error or chance to wreck the enterprise, especially when strange surroundings, doubtful guides, and the gloom of a stormy night conspire with the foe. Whether by accident or design, Ira Allen's French guide led the Americans back to their own guard-house. Placing him under arrest, Allen and Cochran 'formed the best judgment they could' and pushed forward again with their detachment in the midst of a heavy snowstorm. They found Cape Dimond, made the signals, and began the attack. As soon as the general engagement commenced they withdrew, their attack having been made to attract the attention of the garrison to the extreme eastern point. That night General Montgomery was killed, and the American army gave up the assault.

This ended Ira Allen's actual fighting in Canada. He remained with the army before Quebec until reinforcements arrived, and then in February, 1776, returned home.¹ Three hundred miles of winter-bound woods separated him from his destination. Undismayed by bitter weather, the winter wilderness, or lurking Indians, he made the journey on horseback and alone.

How big results in the history of mankind are influenced by little causes is nowhere better illustrated than in the story of Vermont. In June, 1773, General Haldimand, in command of the King's troops in New York, received from Governor Tryon and Council a request for a military force 'to repress several large riots in the County of Charlotte [Vermont] committed by Seth Warner, Remember Baker, one [Ethan] Allen, and other persons unknown,' and 'to order a sufficient number of troops to occupy the forts of Ticonderoga and Crown Point.'² Haldimand, now hearing for the first time of the Vermonters whom he was destined to know better, was inclined to regard them with scornful contempt. He replied, 'That in the present circumstances of affairs in America, it appears to me of a dangerous tendency to employ regular troops where there are militia laws, and where the civil magistrates can at any time call upon its trained inhabitants to

¹ Allen's *Copies of Letters to Governor* (Philadelphia, 1811), p. 45.

² *Minutes of the Council*, Fort George, New York, August 31, 1773. *Canadian Archives*, S.B., vol. 13, p. 157.

aid and assist them in the performance of their offices and the execution of the laws in force against rioters, and for the protection of the lives and property of His Majesty's subjects. That the idea that a few lawless vagabonds can prevail so far in such a government as that of New York, as to oblige its Governor to have recourse to the regular troops to suppress them, appears to me to carry with it such reflection of weakness as I am afraid would be attended with bad consequences and render the authority of the Civil Magistrate, where not supported by troops, contemptible to its inhabitants.' ¹ Disappointed by this response, the Council withdrew the application.

Haldimand's contempt for 'the few lawless vagabonds' may well have saved Vermont to the Green Mountain Boys. It certainly left Fort Ticonderoga open to their attack.

¹ *Canadian Archives*, Report, 1887, p. xii.

CHAPTER II

THE STRUGGLE FOR STATEHOOD

1776

At the beginning of the year 1776 the settlers on the territory which was the subject of the prolonged dispute between New Hampshire and New York and called the New Hampshire Grants found themselves in a critical and hopeless condition. War with the mother country had begun.

The Grants were the northwestern frontier and provided the only road the British could take from Canada to invade the Colonies. The settlers had taken the first aggressive action against the British. They had a bitter enemy, New York, on their western border, and, on their eastern, New Hampshire, a weaker foe, which declined to help them against New York. As a result, many withdrew their support from the movement that had been inaugurated by a few of the settlers, against paying New York or its grantees a second time for their lands and improvements.

The people of Bennington, the strategic point in the contest with New York and headquarters for a large majority then located on the Grants west of the range, had little to lose by submitting, certainly not enough to warrant risking outlawry and death. Nor were there lacking many dividing influences among the inhabitants of all parts of the Grants. The hold of New York had been strengthened west of the Green Mountains; many 'Yorkers' were established in the Connecticut Valley, and others there were favorable to New Hampshire.

Religious differences aided in destroying unity of feeling. In Bennington the First Congregational Church, organized in 1762, was a strong force. It was formed largely by members from three Separatist churches in Sunderland, Hardwick, and Westfield, Massachusetts. The Reverend Jedediah Dewey, their first pastor, had been disfellowshipped by the Orthodox Church. The extreme Separatists of Bennington, related to each other by blood and marriage, were very clannish. 'They were,' said Professor John E. Goodrich, 'a crotchety intractable lot.' Tradition relates that Samuel Robinson,

first settler of Bennington, to whom new settlers came for advice, was accustomed to send the Episcopalians to Arlington, the Baptists elsewhere, and to retain the Congregationalist-elect at Bennington. The Allens were Episcopalians. These facts may explain why none of the Allens except Ethan ever lived in Bennington. They offer a possible reason for Allen's defeat and the election of Seth Warner as colonel, for the clannish Bennington church could hardly be expected to regard with favor one whose family was Episcopalian, and who was himself a deist — a set of circumstances that combined all the disadvantages of too much religion or too little! The Fays, at whose Catamount Tavern Ethan Allen and some of the Green Mountain Boys often met, did not let religious prejudice triumph over the obligations of trade, and were loyal friends.

Evidence of these divisions appears in an early letter of Governor Tryon's asking allegiance to New York, dated May 19, 1772,¹ and addressed 'To the Rev. Mr. Dewey, and the inhabitants of Bennington, and the adjacent country, on the east side of Hudson's River. The many violent and illegal acts you have committed . . . I do hereby engage full security and protection to any persons whom you shall choose to send on this business to New York, . . . except Robert Cochran, as also Allen, Baker and Seville. . . . I am told Mr. William Dewey, a minister of the gospel, James Breckenridge and Mr. Fay, are persons in whose judgment you have much confidence I should therefore think they would be your proper messengers.' He warned them that the King 'has finally fixed Connecticut River to be the established jurisdiction between the Government of New York and New Hampshire. This circumstance I mention that you may not be misled or deceived by a persuasion, that that part of the Country you inhabit will ever be annexed to the Government of New Hampshire.'

On June 5 [19] Mr. Dewey and others replied, 'We, his Majesty's liege and loyal subjects of the Province of *New York*,'² thus acknowledging the jurisdiction of New York, but they contended that they were entitled to their lands, granted to them by the King through the Governor of New Hampshire.

¹ *Documentary History of New York* (Albany, 1851), vol. 4, p. 778. Also *Vermont State Papers* (Middlebury, 1823), p. 22.

² *Vermont State Papers*, p. 24.

Whether this letter would have been worded differently if Ethan Allen and his friends had not been there at that time can only be conjectured. There was evidently a compromise — the church group would not sign what Ethan Allen wanted them to write, so he wrote and sent another letter, which was signed by him, Baker, Warner, and Cochran and carried by Stephen and Jonas Fay, who were the messengers selected by the church group. Allen's letter began, 'We, his Majesty's loyal subjects, . . . inhabitants on that tract of land, your Excellency describes as *Bennington*, and the adjacent country.' It was a long letter setting forth their grievances and the many attempts to dispossess them of their lands. When the Fays returned with Governor Tryon's reply to the Dewey letter, there was a public meeting in the church and it was 'laid before' the committee composed of Nathan Clark and Captain John Fassett and two others (the first named being chairman of the meeting that selected Warner instead of Allen as colonel in 1775). After the reading of Tryon's reply and minutes from the New York Council 'a full and unanimous vote was given in favor of the papers . . . peace was also recommended in the whole of the New Hampshire Grants by all who were present; when the whole Artillery of Bennington . . . were several times discharged in honor of the Governor and Council of New York.'¹ While negotiations were afoot, Ethan Allen brought them abruptly to an end by a characteristic sally of his Green Mountain Boys against Yorkers who had settled farther north, and who now fled from their burning cabins in terror of the 'beech seal.'

There is indication that the Dorset Convention of January 16, 1776, looked toward possible submission to New York. It was the last convention before Ira Allen began to influence and control the affairs of the new community. The principal reasons for calling the Convention are thus stated:

To see if the law of New York shall have free circulation where it doth not infringe on our properties or title of lands, or riots (so called) in defense of the same.

To see if the said convention will come into some proper regulations, or take some method to suppress all schismatic mobbs that have, or may arise on said Grants.

To see if they will choose an Agent, or Agents to send to the Continental Congress.

¹ *Documentary History of New York*, vol. 4, p. 793.

To see whether the Convention will consent to associate with New York, or by themselves, in the cause of America.¹

Eighteen towns were represented, but not by elected delegates.² Heman Allen attended from Salisbury, Connecticut. Joseph Bowker attended from Rutland; some members filing charges against him evidently to cause his expulsion. Heman Allen and Bowker undoubtedly prevented the passage of a resolution favorable to New York. Jonas Fay, James Breckinridge, and Heman Allen were appointed to prefer a petition to Congress, but no funds were provided to pay their expenses. No action was taken against the 'schismatic mobbs' — a term much used by the Separatist church.

It is neither strange nor discreditable that those calling this Convention meditated some understanding with New York. In 1769 all the leading citizens of Bennington County, with the exception of Ethan Allen and a few others, had petitioned to join New Hampshire. How could this independent territory now maintain its independence with a war impending? Who but a very young man, with little experience in the difficulties to be encountered, would dare even to propose it? How many good arguments could be advanced against it? The young man who devoted his life to the maintenance of this independence for the next ten years never crossed a bridge until he reached it; how well he crossed it at each critical period, when to his associates the cause seemed hopeless, the reader will be able to judge, in following him through this important period in our country's history. Ira Allen saw farther into the future than any of his contemporaries, and possessed the valuable faculty of opening that future to the vision of others.

At the next convention, July 24, when the first aggressive step was taken to form a separate State, only seven of the twenty-seven members of the preceding convention attended. Warner was not a member of the next convention, though he signed the pledge of loyalty to the new State. Ira Allen wrote, in London in 1798:

In the beginning of the year 1776, four of the leading men conferred on measures to be recommended to the people for the establishment of a Civil government, which appeared necessary effec-

¹ Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 1, p. 11.

² *Ibid.*, p. 3.

tively to carry on the war, raise men and money, and to secure the titles of the lands against the latent intentions of the Governor of New York: These men differed in opinion about a plan, though all were convinced that their own and the country's interest required a connection with New Hampshire, or an establishment of a new government; no one of them dreamed of ever associating with New York, whose late persecuting conduct and system of government, rendered that colony the most detestable of any on earth.

The arguments advanced in favour of a union with New Hampshire were, that as the jurisdiction of the New Hampshire Grants had been transferred from that Colony through the misrepresentation of the Governor and Council of New York (contrary to the interest and wish of the settlers, who held their lands under Royal deeds from New Hampshire,) a petition from the settlers to the Governor and Council of New Hampshire, praying them to extend their jurisdiction over them as formerly, notwithstanding the order of the King and Privy Council, would be granted, and the settlers would be gratified, and unite cordially in carrying on the war. That such a union would be highly satisfactory to the people of New England, whose children were settled on the Grants, and many owned lands there under New Hampshire titles; and that this measure would secure all those who held lands under the grants of New Hampshire, and avoid a dispute with Congress respecting a new state, which the envy and intrigues of New York and the calamities of war might produce.

The arguments in favour of a new Government were, they did not like any connection with a colony, which, by act of a royal Governor, had too easily consented to part with territory, contrary to the interest and wishes of the people, and who might hereafter expose them to the evil intentions of the colony of New York.

That by such a connection they should lose all the glory and credit they had gained in their exertions against the Governor and Council of New York. That a new Government would perpetuate the name of the Green Mountain Boys, and the honour of their leaders. That a new Government would infallibly establish the title of their lands under the New Hampshire Grants; and that the unappropriated lands might be disposed of to defray the expenses of Government and the war. That as a separate Government, in the course of events, they might find ways and means to retaliate on the monopolists of New York, who had given them so much trouble in re-granting and claiming the lands they held and occupied under the grants of New Hampshire.

That the active and offensive part taken at an early period of the war, in taking Ticonderoga, Crown Point and St. Johns, would make them consequential in the eyes of Congress, as friends to the American Revolution. That notwithstanding the influence of New York might for a time prevent the new Government from a representation in Congress, yet it might not eventually hurt the interest of the people. That the district of the New Hampshire Grants, on

revolutionary principles, was the *oldest* in America. That the people had governed themselves by Committees of Safety and Convention, against the oppressions and tyranny of New York, eight years before the colonies of America took similar measures against Great Britain; of course the people ought to persevere and brave every danger that might be in the womb of futurity. The result of those deliberations was to establish a new Government; accordingly great care was taken to prepare the minds of the people for such an event, and to effect the important object.¹

It is interesting to consider who were the 'four leading men' to whom Ira Allen refers, and who may be said to have decided the fate of the Grants. Ira Allen himself, then twenty-five years old, was doubtless one. He had been recalled from Quebec, probably by a letter from Heman Allen after the Convention of January 10, which Heman evidently considered an attempt to create sentiment favorable to New York. In a letter, in 1810, to the Honorable Thomas Leveritt, Secretary of State of Vermont, Ira Allen wrote: 'In February 1776, I left the Continental Army before Quebec, and returned to the New Hampshire Grants, for the express purpose of supporting the titles to lands granted by the Governor of the province of New Hampshire, against illegal claims of land speculators, under subsequent grants made by the Governor of the colony of New York; and was amongst the first in projecting plans to establish a new state.'² The last clause is significant. Since it appears that Heman Allen, then in his thirty-fifth year, actively opposed New York in the January Convention, it is likely he too was one of the four. Dr. Jonas Fay, thirty-nine years old, who was a steadfast opponent of New York, and for whom Ira Allen had a high regard, may well have been a third. Thomas Chittenden, twenty-one years Ira Allen's senior, may have been the fourth. Chittenden had taken no part in the controversies up to this point; but his landed interests would be prejudiced by the claims of New York, though not by those of New Hampshire. It is a reasonable theory that these four coöperated in establishing Vermont's independence. They conferred at Salisbury, Connecticut, where Heman Allen was a prosperous merchant and where Chittenden had resided. Ira Allen was the dominating personality. He had overborne his brother Heman's advice not

¹ Ira Allen's *History of Vermont* (London, 1798), p. 75.

² Allen's *Copies of Letters to the Governor of Vermont* (Philadelphia, 1811), p. 45.

to settle on the Grants; and had later induced him to invest in land in the new territory, where Ira himself had placed all his wealth. The writer is convinced that this was the first of many occasions when Ira Allen saved the situation for the future State. It might indeed be called the true founding of Vermont. That Ira Allen did not, in his 'History,' name the four men, himself among them, is only characteristic of his modesty. Few men have done so much and claimed so little for themselves. It was only later, when sorely harassed, that he revealed even a small part of his public services.

After it was decided that an attempt should be made to form a new State, Ira Allen and Dr. Jonas Fay during March or April prepared the following 'Humble Address, Remonstrance and Petition,'¹ which was laid before the Continental Congress by Heman Allen, May 30.

To the Honorable John Hancock, Esq'r., President of the honourable the Continental Congress, &c, now assembled at Philadelphia:—

The Humble address, Remonstrance and Petition of that part of America being situated south of the Canada line, West of Connecticut River, North of the Massachusetts Bay, and East of a twenty mile line from Hudson's River, commonly called and known by the name of the N. Hampshire Grants, — Humbly Sheweth,

That your honor's Petitioners being fully sensible and deeply affected with the very alarming situation in which the United Colonies are involved, by means of a designing Ministry, who have flagrantly used, and are still using their utmost efforts to bring the inhabitants of this very extensive continent of America, into a base and servile subjection to Arbitrary Power; Contrary to all the most sacred ties of Obligation by covenant, and the well known Constitution by which the British Empire ought to be governed. Your petitioners, not to be prolix or waste Time, when the whole Continent are in so disagreeable situation, would however beg leave to Remonstrate in as short terms as possible the very peculiar situation in which your petitioners have for a series of years been exercised, and are still struggling under. Perhaps your honors, or at least some of you, are not unacquainted, that at the conclusion of the last War, the above described premises, which your petitioners now inhabit, was deemed and reputed to be in the province of New Hampshire, and consequently, within the jurisdiction of the same; whereupon applications were freely made to Benning Wentworth, Esq., the then Governor of the province of New Hampshire, who, with the advice of his council, did grant under the great seal of said province to your honors' Petitioners a large number of Townships of the contents of

¹ Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 1, p. 71.

six miles square each, in consequence of which, a great number of your petitioners, who were men of considerable substance, disposed of their interests in their native places, and with their numerous families proceeded many of them two hundred miles, encountering many Dangers. Fatigues and great Hardships to inhabit a desolate Wilderness, which has now become a well-settled frontier to three Governments. This was not all our Trouble, for soon after the commencement of those Settlements, the Monopolizing Land-Traders of New York, being apprised that the province of New Hampshire had granted the said Lands, and that settlements were actually making, did present a petition (as we have often heard and verily believe) in your Petitioners' names, praying that his Majesty would annex the said lands granted by the authority of N. Hampshire, to N. York, on account of its local and other circumstances for the benefit of the inhabitants. Your petitioners not being apprised of the intrigue (in this case) were mute, therefore as no objection was made why the prayer of the petition should not be granted, his Majesty was pleased with the advice of his Council, on the 20th [24th] day of July, A.D. 1764, to grant the same, immediately after which the Land-Traders of N. York Petitioned the then Governor of that Province for grants of Land, some part of which had been previously granted to your petitioners by the Governor and Council of N. Hampshire. The dispute then became serious, and your Petitioners then petitioned his Majesty for Relief in the Premises. His Majesty was pleased to appoint a Committee, who reported to his Majesty in the premises, and his Majesty was pleased to pass an order in the following words (viz):—

At a Court at Saint James's, the 24th day of July, 1767.

Present, His Majesty and committee of fourteen members.

His Majesty, taking the said Report into consideration was pleased with the advice of his Privy-Council to approve thereof and doth hereby strictly charge, require and command, that the Governor, or Commander-in-Chief of his Majesty's Province of New York for the time being, do not upon pain of his Majesty's highest displeasure presume to make any grant whatsoever of any part of the Land described in said Report until his Majesty's further pleasure shall be known concerning the same.¹

The many intervening and unhappy disputes which have since happened between those Land-Traders of New York and your Petitioners would take up too much time under the present situation of Public Affairs to recite, as Capt. Heman Allen and Doct'r. Jonas Fay who we have appointed to present this to your honours will be furnished therewith should they find your honors admittance, and such particulars be thought necessary. Let it suffice here only to mention that the oppressions from these overgrown land Traders of New York were so grievous that your Petitioners were again induced, at a great expense, to petition his Majesty; in consequence of

¹ This order was secured through the influence of the British Society for the Propagation of the Gospel in Foreign Parts.

which a Committee was appointed and made a report in favor of your Petitioners, which is too prolix to be inserted here. We are called on this moment by the Committee of Safety for the County of Albany to suppress a dangerous insurrection in Tryon County. Upwards of ninety soldiers were on their march within twelve hours after receiving the news, all inhabitants of one town inhabited by your petitioners, and all furnished with arms, ammunition, accoutrements, and provisions, &c. Again we are alarmed by express from General Wooster commanding at Montreal,¹ with the disagreeable news of the unfortunate attack on Quebec, (unfortunate indeed to lose so brave a commander,) requiring our immediate assistance by Troops; in consequence of which a considerable number immediately marched for Quebec, and more are daily following their example.

Yet while we your Petitioners are thus earnestly engaged, we beg leave to say that we are entirely willing to do all in our Power in the General Cause, under the Continental Congress, and have been ever since the taking Tyconderoga, &c. in which your petitioners were principally active, under the command of Col. Ethan Allen, but are not willing to put ourselves under the honorable provincial Congress of New York in such manner as might in future be detrimental to our private property; as the oath to be administered to those, who are, or shall be entrusted with commissions from said Congress, and the Association, agreed upon by the same authority, together with some particular restrictions and orders for regulating the Militia of said province, if conformed to by the inhabitants of the said New Hampshire Grants, will (as we apprehend) be detrimental to your petitioners, in the determination of the dispute now subsisting between your said Petitioners and certain claimants under said province of New York, and that your Petitioners' ardent desires of exerting themselves in the present struggle for freedom may not be restrained, and that we might engage in the Glorious Cause, without fear of giving our opponents any advantage in the said Land dispute, which we would wish to have lie Dormant, until a general restoration of Tranquility shall allow us the opportunity for an equitable decision of the same. Another reason that much hinders us from joining New York hand and hand in the General Cause is, they will not own us in our property, but on the contrary the Judges of their Supreme Court have expressly declared the Charters Conveyances, &c., of your Petitioners' of Lands to be null and void. Therefore we your honors' humble Petitioners most earnestly pray your Honors to take our case into your wise consideration, and order that for the future your petitioners shall do Duty in the Continental service (if required) as inhabitants of said New Hampshire Grants, and not as inhabitants of the province of New York, or subject to the Limitations, restrictions or regulations of the Militia of said province, and that commissions, as your honors shall judge meet, be granted accordingly, and as in Duty bound, your honors' Petitioners shall ever pray.²

¹ Benjamin H. Hall's *History of Eastern Vermont* (New York, 1858), pp. 219-20.

² Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 1, p. 16.

Not until Heman Allen's return from the Continental Congress, where he had gone alone at his own expense and had laid the petition before that body, was the call sent out for a convention to be held at Kent's Inn, Dorset, on July 24. The inhabitants living west of the range were 'warned,' but those living east of the range, were 'desired' to attend. The July meeting could not properly be termed a 'Convention.' None of the delegates was elected, but all attended by request or on their own responsibility, and were credited to the town in which they lived or held land. Most of them were not subsequently prominent in establishing the independence of Vermont, which was the work of a very few men. All the 'Conventions' that followed until July, 1777, were merely adjourned meetings. Ira Allen well knew that with most of the inhabitants engaged in looking after their own interests in that troubled time, he could never have created an independent State by means of regularly elected delegates. With the assistance of a few associates, by clever maneuvering, he dominated the republic throughout the Revolutionary War. When the call for the meeting of July 24 was issued, its phraseology was such that it made a varied appeal. It suggested that Heman Allen would present a report of the reception by Congress of the petition that he had placed before it. (The petition, as a matter of fact, had made no impression on Congress; which advised the Grants to join New York in defense of the country.) The so-called delegates were also to ascertain if the settlers wished to associate with New Hampshire; or would 'agree to an association (not repugnant to that of the Continental Congress) — to do duty in conjunction with the Continental troops (only) as members of the district of land which they inhabit.' An intimation was also conveyed that arms and ammunition might be obtained, 'agreeable to a resolve of the honorable the Continental Congress.'

Between June 24, the date of the call, and July 24, the date of the Convention, evidence of Ira Allen's activities are shown in the following letter:

ONION RIVER, *July 10th 1776*

To the Citizens of Poultney,

GENTN:

Learn you are alarmed at the Retreat of our Army out of Canada. Can assure you the Savages have killed and scalped a number of

men by the River LaCole on the west side Lake Champlain. When they will visit us or you is uncertain. Advise you to look sharp and keep scouts out, but not to move except some Families much remote from ye Main Inhabitants — Last Saturday was at Crown Point with General Sullivan, he assured me he would do all in his power to protect the Frontier Settlements —

I proposed a Line of Forts by this River to Cohos, he said he believed that to be the best place and made no doubt but it would be done — he immediately ordered Col. Waite & 200 men to this place here to remain & grant all protection in his power to the Inhabitants. Before I left there, General Schuyler, Gates & Arnold arrived. I conclude there is a determination before this Time in regard to all the Frontiers. I make no doubt but a Line of Block Forts is agreed on by all from this River to yours & so round your Frontiers — Had Intelligence from St. John's about twelve days ago, our Enemy had but one hundred Tents which at most could not be more than six hundred men — they appear not to be in much preparation for war, at Chamblee was but few men — Is thou't by some the Enemy are busy in sending provisions & clothing to all the Garrisons near the head of the River St. Lawrence & supplying the Indians with all necessaries — The Small Pox has almost gone thro' our Army, they are much better on acc't of their health than they were — Gondoloes are building, the vessels are preparing for war — I hope in a short time they will be able to beat all the powers of Britain on this Lake — Crown Point is proposed for Head Quarters —

in haste,

IRA ALLEN

Notwithstanding Allen's efforts, only forty-nine persons, representing thirty-two towns,¹ attended the Convention which met in July at Kent's Inn in Dorset. Some members never had lived on the Grants and were credited to towns where there were no inhabitants. There were nine present who had attended the meeting of Green Mountain Boys held January 31, 1775. Two were present from east of the range. The record of the meeting of January 16 was rewritten by Ira Allen and Fay and incorporated in the record of this meeting. It was not a copy of the January record that has since been printed, but it was as they desired it to appear for their purpose at this meeting. A few days before the meeting, the Declaration of Independence of the thirteen Colonies had been published and made known to the people of the Grants. Heman Allen made his report to the Convention with one purpose in mind — to form a new State. He suppressed all reference to the recom-

¹ Ira Allen's *History of Vermont* states there were thirty-five towns represented by fifty-one delegates (p. 77). Hall's *Eastern Vermont*, p. 268, copied.

mendation of Congress, but asserted that 'sundry members of Congress and other Gentlemen of distinction . . . did severally earnestly recommend that the inhabitants of said Grants exert themselves to their utmost abilities to repel . . . the British . . . and that said Inhabitants do not by any way or means whatsoever connect or associate with . . . New York: . . . but . . . consult suitable measures to associate and unite the whole of the Inhabitants of said Grants together.' ¹ Thus Ira Allen, through Heman and with the assistance of Fay, placed before the delegates the idea of ignoring New York and planted the seed of the new State. The Convention did exactly what Ira intended it should do — a notable triumph for him when it is remembered that of the leaders only Thomas Chittenden had had any legislative experience. This was the beginning of Ira Allen's political career. Avoiding the shock of referring to a new State, the leader submitted a resolution 'that application be made to the inhabitants of said Grants to form the same into a separate District.' It was passed with but one dissenting vote. A resolution to form a new State probably would have been voted down as a ridiculous and hopeless attempt. The Convention further voted to choose a committee to treat with the inhabitants on the east side of the range; and also to request the Commander-in-Chief of the Northern Department at Albany to give assistance in guarding the northern frontier of the Grants. It was shrewdly calculated that a refusal of this request would help the cause of the Grants against New York.

After an adjournment of one hour, the delegates proceeded to the consideration of an association. The wording was diplomatic; no mention of a new State was made, 'every honest Friend to the liberties of America' was called on to sign, and those not signing were 'deemed enemies to the common cause of the New Hampshire Grants.' Thus was made apparent where every man stood on the question of the Grants without raising the direct issue of a separate State. The text follows:

This Convention being fully sensible that it is the will and pleasure of the honorable the Continental Congress that every honest Friend to the Liberties of America in the Several United States thereof should subscribe an Association binding themselves as members of some Body or Community to stand in defence of those Lib-

¹ Vermont, *Records of Governor and Council* (Montpelier, 1873), vol. I, p. 20.

erties; And whereas it has been the usual custom for individuals to associate with the Colony or State which they are reputed to be Members of: Yet nevertheless the long and spirited Conflict, which hath for a number of years subsisted between the Colony of N. York and the Inhabitants of that District of land commonly called and known by the name of the New Hampshire Grants relative to the title of the lands on said District, renders it inconvenient in many respects to Associate with that Colony.

The better therefore to convince the public of our readiness to Join in the common defence of the Liberties aforesaid, we do Publish and Subscribe the following Association, viz.

We, the subscribers, Inhabitants of the District of land commonly called and known by the name of the New Hampshire Grants; Do Voluntarily and Solemnly engage under all the ties held sacred among mankind at the risque of our lives and fortunes to defend by arms the united Colonies of America against the Hostile attempts of the Brittish fleets and Armies, until the present unhappy dispute between the two Countries shall be settled.

Resolved that it be and is hereby recommended to the several inhabitants on the N. Hampshire Grants who are friends to the liberties of the United States of America, that they subscribe the association agreed on and signed, by the Several members of this Convention and return the same to the Clerk thereof as soon as may be.

Resolved unanimously, that any person or persons, inhabitants of the N. Hampshire Grants, that shall in future subscribe and return an association to any the Committee or Committees of Safety for either the Counties in the province of N. York or to the Provincial Congress thereof otherwise than the association contained in these records and subscribed by the several Delegates of this Convention, shall be deemed enemies to the Common cause of the N. Hampshire Grants.

Resolved that nine persons be chosen as a Committee of appeals, who are to hear and determine such matters as may be properly exhibited to them in writing by any of the inhabitants of the N. Hampshire Grants relative to the cause of American liberty, by way of proper appeal from either of the Committee's of safety on said Grants; any five of which Committees to make a quorum.

All the delegates but one signed the agreement, as did Seth Warner, who was present.¹ The Convention then adjourned to meet at the same place on September 25, 1776. Heman Allen, William Marsh, and Dr. Jonas Fay had been appointed a committee to treat with the inhabitants on the east side of the range. They attended a joint meeting of the Committees of Safety of Cumberland and Gloucester Counties, who were

¹ Extracts from this Convention in Vermont, Miscellaneous, Library of Congress, are in handwriting of Jonas Fay, who rewrote many of Ira Allen's papers.

acting under New York, called for the purpose of selecting officers to command their militia. James Clay was chairman and, because only about a dozen members were present, he did not wish to proceed with the business. Allen, Marsh, and Fay read to them the proceedings of the July 24 Convention and described the boundaries of the proposed new 'District.' Heman Allen told Clay that members of the Continental Congress 'recommended to him and his coadjutors to ascertain the feelings of the people concerning the formation of a new state. He also reminded him, that if the inhabitants of the Grants should accede to the form of government which would soon be adopted for the state of New York, they would have no opportunity to withdraw their support therefrom at a future day.' ¹ Meetings were then held in several towns east of the range to discuss the question. At the September 25 meeting there were present forty-four delegates representing twenty-five towns from the west side of the range. Eleven towns represented at the July meeting had no representatives at this new assemblage. Heman Allen and Seth Warner were enrolled as delegates, but were not credited from any town. Thirty members had been delegates at the July Convention; fourteen were new members. In addition, from the east side of the range, there were eight towns represented by eleven delegates and two by letter.

It was 'voted that William Marsh, Docr. Jonas Fay, Docr. Reuben Jones, Ira Allen, Thomas Chittenden, Benjamin Carpenter and James Rogers should be a committee to form a plan for future proceedings and report as soon as might be.' Four of these men were from the east side of the range, four from the west side. This committee appointed a sub-committee, the report of which follows:

Report (as opinion) of a Sub-Committee

A Covenant or Compact ought to be entered into by the Members of this Convention for themselves and their Constituents, to be governed and regulated by such rules as may be agreed on by the majority (viz):

To regulate the Militia; To furnish troops according to our ability, for the defence of the Liberties of the United States of America.

To return the numbers of the inhabitants on this District to the Continental Congress, and at all times to be governed by their Councils.

¹ Hall's *History of Eastern Vermont* (New York, 1858), p. 268.

A number of men to be elected to wait on the Honorable Continental Congress with such Petitions as shall be agreed on by this Convention.

To make suitable provisions that the whole of the inhabitants on s'd N. Hampshire Grants on each side of the Green Mountains be notified and have proper opportunity to join and coincide with the measures taken and to be hereafter taken for the benefit of forming s'd district into a separate State.

As the troublesome and aged conflict existing between the State of New York and that District of Land commonly called and known by the name of the New Hampshire Grants relative to the title of lands on s'd district has not yet subsided.

We do therefore vote that any Law, or Laws, Direction or Directions we may (for the time being) receive from s'd State of N. York will not in future be accepted neither shall we hold ourselves bound by them.

Some measures to be entered into for the better securing the Tories in s'd District.

That the Militia officers on each side the Mountains continue in their stations and after executing the orders to them heretofore received from the State of New York, to be under the direction of this Convention.¹

The foregoing propositions are humbly submitted to the Members of the General Convention now assembled at Dorset.

pr. BENJ'A CARPENTER, *Chairman Committee*.

10th. Voted, To accept the above report of the Sub Committee.

The work of this convention bears all the marks of careful preparation. All recommendations of the committee were adopted, and the members subscribed to the new covenant. Provision was made to take the names of all inhabitants who declined to subscribe and their reasons for refusal. A committee consisting of Ira Allen and William Marsh was appointed to secure signers to the association on the east side of the Grants. On this delicate mission to New York's stronghold Ira Allen went alone, characteristically accepting the most difficult task. The Convention also appointed a Committee of Safety² and a committee of war, each with extensive powers, also a committee of twelve to attend the next sitting of the Convention. This committee of twelve became the Council, which with the Assembly, conducted the legislative affairs of Vermont until 1838. Thus ended the work of the Dorset Convention. It had framed what may be fairly called

¹ This proposition was so cleverly phrased that its far-reaching consequences were not easily seen.

² Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 1, p. 32.

the first Constitution of Vermont — 'the briefest [constitution] ever adopted for so large a community.'¹ The Convention was in session but three days, and adjourned to meet at Westminster on the east side of the State on October 30. The following extracts from the meeting of September 25 illustrate the determination of this small body of men to organize the Grants and force recognition from Congress:

Resolved, that each non-commissioned officer and soldier immediately furnish himself with a good gun with a Bayonet, sword or tomahawk, one pound powder, four pound bullets, suitable for his gun, six flints, powder horn, cartouch Box or Bullet Pouch, and for want of a gun, to pay a fine of two dollars on each day required to appear under arms, and for want of each other accoutrement the sum of half a dollar.

Resolved that the Committee of War be and are hereby empowered to issue their warrants to the several field officers of Militia on the District of the N. Hampshire Grants, on any sufficient notice received from the General or other Commander-in-Chief of the armies of the United States of America or from the Honorable the Continental Congress, Requiring the assistance of the Militia. . . . And in case any commissioned, non-commissioned officer or soldier . . . shall refuse or neglect on such notification to attend and perform the Duty . . . that the officer . . . or soldier so refusing or neglecting to perform the Duty . . . be subject to the payment of such fine respectively as shall be laid on him [or] them at the direction of the said Committee of War.²

A fine was the only punishment that could be enforced at this time, but it was effective, as nearly every man owned his own home and no one wanted to be burdened by a debt of this kind. The attention to detail in these resolves is strong evidence that they were formulated before the Convention met. Ira Allen and his friends did not allow the direction of affairs to slip out of their hands with the appointment of the governing committees. They were assigned to all important committees and generally constituted a majority. No paper was drawn that Ira Allen did not have opportunity to review. Indeed for ten years few if any state papers of Vermont were issued that he did not prepare or assist in preparing. In these early papers he placed loyalty to the United States first, thus, as in his clever management of the Convention, avoiding emphasis on the idea of a new and independent State.

¹ Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. I, p. 29.

² Vermont (*Force Transcripts*), p. 117. Library of Congress.

Meanwhile Committees of Safety held frequent meetings on the east side of the Green Mountains. At Westminster meetings were held on June 11,¹ 13, 20 and 22, on July 23 and 26, and on August 6. These committees acted ¹ under the authority of New York; but after the Vermont Convention of October 30, Samuel Fletcher and others, who had attended one or more of the Vermont conventions, protested against any further action on the part of the New York committees. This protest, entered at a meeting ² at Westminster on November 6, 1776, was later withdrawn, but the supporters of New York were growing fewer under the influence of Allen's work. At a meeting of the Cumberland County, New York, Committee of Safety, at Brattleboro on June 26, 1777, a representation was made to the New York authorities setting forth reasons why the committee could not function, as the Sheriff [Dr. Paul Spooner] had resigned, and the committees were 'terrified with threats from the people who are Setting up a new state here.' ³ After this time the New York adherents found it wise not to assemble. Thus had Ira Allen carried the war into the enemy's country on the east side of the range where a large majority of the people on the Grants lived, and won the inhabitants to his side. He remained east of the range until the Westminster Convention, October 30.

This Convention met under the cloud of military disaster, for the British had destroyed Arnold's flotilla on Lake Champlain and captured Crown Point, and the Grants lay open to invasion. Only seventeen delegates assembled, and but five came from west of the range. Under these conditions it was thought wise merely to 'draw a plan of future proceedings,' and to reply to a pamphlet dated October 2, 1776, and sent by the Provincial Congress of New York to the County of Cumberland. Ira Allen prepared this answer under the title of 'Miscellaneous Remarks.' This he circulated the following spring. It is a convincing document, couched in the vigorous style that Ira Allen shared with his brothers Levi and Ethan.⁴ General Jacob Bayley, perhaps the most influential citizen east of the range, refused to sign the association, and Solomon Phelps was requested by the Convention to gain his adherence.

¹ Pingry Papers, Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. I, p. 346.

² *Ibid.*, p. 359.

³ *Ibid.*, p. 365.

⁴ See Appendix 1776.

Bayley remained, however, hostile to Allen, and never did him justice, though after the establishment of the new State he became active in its support. The Convention adjourned to meet at the same place January 15, 1777.

Ira Allen now made it his work to gain support for the agreement issued by the Convention of July 24. No expenditure of time or energy was too great. Unaided by newspapers — for they did not exist in Vermont — alone he traveled up and down Cumberland and Gloucester Counties, which were east of the range, securing signers. From November 3 for sixty-seven days ¹ he waged his constant battle. No other man on the Grants was engaged in a similar work. In this critical period in Vermont history, the necessity of holding all the inhabitants of the Grants to one line of policy was strongly evident to Allen. His efforts to unite the people both east and west of the range were crowned with success. Again Ira Allen was the determining influence in shaping the destiny of the people.

¹ Vermont (*Force Transcripts*), Library of Congress.

CHAPTER III

VERMONT'S INDEPENDENCE AND THE BATTLE OF BENNINGTON

1777

IN spite of the discomfort promised in crossing the range to Westminster in the midst of a Vermont winter, by the one road that then existed, the leaders regarded the convention of January 15, 1777, as too important to be postponed. From west of the range came only nine delegates, of whom seven had attended the Convention of the previous September. Ira Allen and Joseph Bowker were the only ones who had attended the three previous Conventions. As thirteen delegates were present from the towns east of the range, the east side formed a majority, but with these Ira Allen's two months of unremitting effort were to bear fruit. Joseph Bowker was again chairman, Ira Allen clerk, and Dr. Reuben Jones assistant clerk. The first committee appointed (two members from the east and one from the west) 'to examine into the number that have voted for the district of the New Hampshire Grants to be a separate state from New York, and how many are known to be against it,' was in accord with Allen's wishes. It was important to spread an encouraging report of the percentage of the inhabitants favorable to the new State. No one but Ira Allen knew how many had signed the 'association,' for he was the only one giving all his time to obtaining the signatures.

The committee reported, 'We find by examination that more than three-fourths of the people in Cumberland and Gloucester counties (both east of range), that have acted, are for a new state; the rest we view as neutrals. Ebenezer Hoisington, Chairman.' ² The Convention then voted that the District be a new and separate State; and for the future conduct itself as such. A committee of five was next appointed to 'prepare a draught for a declaration,' for a new State. Allen had made a staunch friend and ardent co-worker of Hoisington, who represented Windsor, and the latter was placed on all

² Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 1, p. 39.

the important committees. He attended both the September 25 and October 30 Conventions, and until this time, or shortly before it, had been a member of the Committee of Safety under New York. He was one of the few among those assisting Ira Allen who did not hold public office after the State was formed. The declaration seems to be largely the work of Ira Allen. In a bill he rendered for services appear these items: January 17, 1777:

¹ 9 days (part in Westminster) [Convention met January 15, adjourned January 17¹] in assisting to write a declaration for a state and other pieces for the Hartford papers &c, 10^s per day, £4-10-0. February 1, To 12 days in going to Hartford by advice of convention to get some pieces inserted in the newspapers and there revising said writings, £6-0-0.²

The declaration of the January Convention is equally interesting for its importance in the history of Vermont, and for its shrewdness. On May 15, 1776, Congress had passed a resolution originated by John Adams to suppress governments under the Crown in the United Colonies, phrased as follows:

Resolved: That it be recommended to the respective assemblies and conventions of the United Colonies, where no government sufficient to the exigencies of their affairs hath been hitherto established: to adopt such government, as shall, in the opinion of the representatives of the people, best conduce to the happiness and safety of their constituents in particular, and America in general.³

Allen was quick to see how this principle might be applied to Vermont, and made a use of it to which Congress afterwards took indignant exception. The draft for a declaration stated

that whenever protection is withheld, no allegiance is due, or can of right be demanded. [New York had refused to protect the Grants.] That whenever the lives and properties of a part of a community have been manifestly aimed at by either the legislative or executive authority of such community, necessity requires a separation . . . (and) do . . . proclaim and publicly declare that the district . . . New Hampshire Grants . . . is hereby declared . . . a separate, free and

¹ Slade, *Vermont State Papers*, p. 70, claims the session lasted to January 22. This is doubtful, as it would have carried it over Sunday, which was seldom done.

² Vermont (*Force Transcripts*), Library of Congress.

³ *Journal of Congress*, May 10-15, 1776 (L.C. ed.), vol. 2, p. 158. See Appendix 1777, III.

independent jurisdiction or state by the name... of New Connecticut.¹

This application of the Congressional resolution was a persuasive argument in obtaining signers to the 'association' to form a separate State. Vermont's declaration of independence was published in the *Connecticut Courant* of March 17, 1777.

The following are important extracts from it:

Whereas the Honorable the Continental Congress did, on the 4th day of July last, declare the United Colonies in America to be free and independent of the Crown of Great Britain; which declaration we most cordially acquiesce in; and whereas by the said declaration the arbitrary acts of the crown are null and void, in America, consequently the jurisdiction by said crown granted to New York government over the people of the New Hampshire Grants is totally dissolved:

We therefore, the inhabitants, on said tract of land, are at present without law or government, and may be truly said to be in a state of nature;² consequently a right remains to the people of said Grants to form a government best suited to secure their property, well being and happiness. . . .

That we will, at all times hereafter, consider ourselves as a free and independent state, capable of regulating our internal police, in all and every respect whatsoever — and that the people on said Grants, have the sole and exclusive and inherent right of ruling and governing themselves in such manner and form as in their own wisdom they shall think proper, not inconsistent or repugnant to any resolve of the Honorable Continental Congress.

Furthermore, we declare by all the ties which are held sacred among men, that we will firmly stand by and support one another in this our declaration of a state, and in endeavoring as much as in us lies, to suppress all unlawful routs and disturbances whatever. Also we will endeavor to secure to every individual his life, peace and property against all unlawful invaders of the same. And that we are at all times ready to do our full proportion in maintaining and supporting the just war.

The Convention appointed a committee of five, Jonas Fay, Thomas Chittenden, Reuben Jones, Heman Allen, and Jacob Bayley (Bayley declined to serve), to present the declaration and petition to Congress, which bears internal evidence of having been drafted by Ira Allen.³ Thus Westminster became

¹ Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. I, p. 41.

² This form of statement was much discussed in Congress. Thomas Jefferson called it the 'Vermont theory.'

³ Although Ira Allen was not a member of the committee that drafted the 'Declaration and Petition' to Congress, it seems to be, largely, the work of his

the birthplace of Vermont as the Declaration of Independence was written there and there it was adopted. Philadelphia has always been given the honor of being the birthplace of the United States, not New York where the Constitution was adopted. After the Convention adjourned, this committee met Ira at the home of Heman Allen in Salisbury, Connecticut, in March and Ira continued his aid to the movement by the very practical assistance in advancing £18 to Reuben Jones for his traveling expenses. The committee traveled on horseback across the Hudson, probably at Fishkill, down through New Jersey to Philadelphia. With Congress they had no success, for the New York influence was too strong.¹ But the journey was not fruitless, for in Philadelphia they met Dr. Thomas Young, whom the British had driven out of Boston and New London, an ardent patriot and a warm friend of Ethan Allen. Young urged the committee to return to the Grants, form a new State at once, and adopt a constitution. He also suggested that the name Vermont be adopted by the new State.²

Dr. Young sent the committee a copy of the constitution of Pennsylvania, 'drawn from the purest fountain of antiquity, and improved by the readings and observations of the great Doctor Franklin.' Dr. Young's letter, dated April 11, was such a strong document that it was printed and, with Allen's 'Miscellaneous Remarks,'³ circulated throughout the State. In his letter he called attention to the resolution of Congress passed May 15, 1776, as being a sufficient reason for organizing a new State and stated that the committee had obtained

hand and brain. It shows marked similarity in style with Allen's known compositions. The copy of the document in Allen's handwriting with his, sometimes, erratic spelling, is the one used in the minutes of the Convention and is accepted by Slade, in the *Vermont State Papers* and the *Records of the Council of Safety and Governor and Council*. It is true, the copy presented to Congress (*Papers of the Continental Congress*, Library of Congress) is in the handwriting of Fay; but here the spelling is correct, so that it would seem that it was Fay who copied from Allen, rather than Allen who copied from Fay. See Appendix 1777 (II).

¹ William Smith, historian and former member of the King's Council in New York, about the ablest Tory in the country, whose diary is now in the possession of the New York Public Library, wrote on May 9, 1777, 'may it not be supposed if they [Vermont] are disavowed by Congress that they will suddenly turn about, look to Great Britain and join the army from Canada.'

² Dr. Samuel Peters claimed to have first named the territory calling it Vermont (Mountain of green). When he learned it was called Vermont (Mountain of Maggots) he scoffed at it.

³ Appendix I.

a copy. Ira Allen had already used the resolution, showing that he, as well as Dr. Young, knew when to take advantage of a resolution passed for an entirely different purpose than that of helping the Vermonters. Young had told them, 'till you incorporate [have a constitution] and actually announce to Congress your having become a body politic, they can not treat with you as a free state.'

When the committee returned to Salisbury early in April, Ira Allen advanced an additional £3-16-0 to Reuben Jones. There he was informed of the rumor that Ethan Allen had been brought back from England and, with other officers, was paroled on Long Island. Ira at once

proposed to his brother Heman that he, Ira, would engage a number of Green Mountain Boys, that were good oarsmen, procure a whale or other light boat, in Connecticut, at a convenient place to cross the sound, to the north side of Long Island, as near Flatbush as might be convenient, then make the aforesaid secret march and bring off his brother Ethan. . . . The project was relinquished on Heman's suggesting, that, if successful, it would injure other officers then on parole, who might be confined in prison.¹

In April Ira Allen left Salisbury and spent over a month 'distributing writings and concerting measures to counteract the intrigues of New York and gain a full convention at Windsor.'² This Convention, the largest held up to that time, met there June 4, according to the adjournment. The fact that Windsor was the home of Hoisington may have had something to do with the choice. There were seventy-two delegates present representing fifty towns; thirty-seven from eastern Vermont and thirty-five from west of the range. The leaders took advantage of the number and again voted to form a new State on the basis of the former declaration made at Westminster in January. On a roll call seventy-one delegates voted to 'proceed to form.' Realizing that they had not given sufficient explanation for this action, they drew up a 'complaint.'³

The Convention voted to change the name from New Connecticut to Vermont, giving as a reason that a settlement in

¹ Allen's *Address to Freemen of Vermont* (Philadelphia, 1808), p. 15.

² Vermont (*Force Transcripts*), Library of Congress, p. 176.

³ *Connecticut Courant*, June 30, 1777. Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 1, p. 56.

Pennsylvania had been named New Connecticut. It seems more probable that the name was adopted because it would perpetuate the title of the Green Mountain Boys. A resolution was passed recommending that each town elect, and send, representatives to a convention to meet in Windsor on July 2, following, to form a constitution for said State, appoint a Committee of Safety, and choose delegates to attend Congress. A committee, of which Ira Allen was a member, was appointed to wait on the Commander of Ticonderoga respecting the defense of the frontiers. The Convention took charge of the only gaol [jail] and notified the Committees of Safety under New York to discontinue acting in any capacity. The Vermont Committee of Safety was authorized to take into custody both the persons and the estates of 'enemical persons.'¹ Though this Convention was in session only four days, it passed many important resolutions and issued the first proclamation for a fast day. The resolves acted upon had been prepared, apparently, in advance, as they provoked little discussion. Adjournment was taken to meet in Windsor, July 2. Ira Allen remained in Windsor, 'assisting in several writings in order to convene a full convention to form a constitution.'²

One possible reason for the large attendance at the June meeting was the adoption on May 8 by the Convention of New York of a constitution for the future government of that State in which the New York delegates affirmed the validity of the grants they had made in Vermont and recognized the hateful quit-rents, always unpopular with the settlers.³ Jacob Bayley, a staunch friend of New York, wrote on June 14 to the Provincial Congress of that State that 'the people before they saw the New Constitution were not willing to trouble themselves about a separation, . . . but now almost to a man they were violent for it.'⁴

Meanwhile a most important service to the settlers of the Grants fell to Allen's lot. He had proceeded to Ticonderoga joining the American army under St. Clair. Owing to Allen's familiarity with the lake, St. Clair requested him to take command of a scouting party. Fortunately, however, the lack of

¹ Connecticut Courant, June 30, 1777. Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 1, p. 61.

² Vermont (*Force Transcripts*), p. 61.

³ Hall's *History of Eastern Vermont* (New York, 1858), p. 246.

⁴ Hall's *Early History of Vermont* (Albany, 1868), p. 249.

suitable boats caused Allen to decline. Two days later Burgoyne's army arrived at Crown Point, and thence their commander sent a large party, mostly Indians, to the mouth of Otter Creek. St. Clair refused to spare any troops to repel this raid, but allowed Colonel Warner to accompany Allen in an effort to oppose the advance. They soon raised men enough to check the hostile party. Allen was actively engaged for seventeen days warning settlers to flee, aiding them to remove their cattle, and sending expresses at his own expense to those who lived dangerously near the line of the British advance. As a result of his tireless energy, many a family escaped a raid by British and Indians, and, when Burgoyne's soldiers thought to seize the settlers' cattle, they were forced to report with chagrin that all had been removed from the country.¹

After this energetic frontier work Allen returned to Windsor for the Convention of July 2. No official record and no full and satisfactory unofficial account have ever been published. Allen wrote, in his 'History of Vermont' (1798):

A draft of a constitution was laid before the Convention and read. The business being new and of great consequence, required serious deliberation. The Convention had it under consideration when the news of the evacuation of Ticonderoga arrived, which alarmed them very much, as thereby the frontiers of the State were exposed to the inroads of an enemy. The family of the President of the Convention [Joseph Bowker], as well as those of many other members, were exposed to the foe. In this awful crisis the Convention was for leaving Windsor, but a severe thunderstorm came on, and gave them time to reflect, while other members, less alarmed at the news, called the attention of the whole to finish the Constitution, which was then reading paragraph by paragraph for the last time. This was done, and the Convention then appointed a Council of Safety to act during the recess, and the Convention adjourned.

There is no record of the number present at the Constitutional Convention, but it was probably less than fifty. The delegates listened to a sermon by the Reverend Aaron Hutchinson that must have consumed two hours. The constitution was, of course, prepared in advance. It was largely based on that of Pennsylvania, as Dr. Young had urged, with much added at Allen's suggestion. It was the first State Constitution to prohibit adult slavery. The democratic principle of

¹ Brigadier-General Simon Fraser's account of the operations of Burgoyne's Campaign, July 13, 1777.

government was fully recognized, all men over twenty-one who had resided in the State one year being entitled to vote. Ira Allen wrote the preamble with Thomas Chittenden, at Chittenden's house in Williamstown, Massachusetts, in the following November.¹

In spite of the desire of the delegates to rejoin their families, in peril of Burgoyne's Indian allies through the fall of Ticonderoga, they were held together long enough to adopt three necessary measures:

Ordering an election to be held in December to form a General Assembly.

Adopting means to secure a supply of arms and ammunition.

Appointing a Committee of Safety with all the powers of a constituted government.

The second measure was, however, largely futile in immediate result, for though the committee was empowered to borrow four thousand pounds, it was unable to secure a single loan. A loan office was established² and Ira Allen was made trustee. He published an advertisement soliciting loans of £10.³ The only loan secured by him as trustee of which there is any record was one made July 9, the day after the Convention adjourned, by Heman Allen, of £27, for which he received a note signed by Ira Allen as trustee. This sum was probably used to pay the expenses of the Convention. Thus ended the work of the Constitutional Convention. The constitution, adopted ten years before that of the United States, is in many respects a remarkable document. It shows, without question, many evidences of Ira Allen's controlling mind. It was first printed at Hartford, Connecticut, whither Allen had carried it for that purpose. The few men engaged in founding Vermont were several times favored by propitious circumstances. The announcement of the independence of the Colonies July 4, 1776, twenty days before the Vermont Convention, July 24, 1776, affords one illustration. New York's published intention in May, 1777, to enforce 'quit-rents' from the Vermont settlers, immediately preceding the more largely attended Convention of June 4, was another; and again a

¹ Vermont (*Force Transcripts*), Library of Congress.

² Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. I, p. 75.

³ *Connecticut Courant*, August 18, 1777.

thunderstorm that almost shook the mountains compelled the delegates to remain in session and thus occasioned the constitution, July 8, 1777.

With the adoption of a constitution, Vermont's dangers were by no means passed. Indeed, just ahead loomed dark and threatening clouds. Burgoyne's men were at Castleton. Most of the inhabitants were fleeing from the State. To complete their terror Burgoyne issued a proclamation offering protection and full compensation for supplies to those loyal to the British, and threatening death and destruction at the hands of his Indians to all who failed to join his forces. The situation of these settlers — cut off from the other Colonies, refused protection, and threatened by a savage foe — should be remembered. The outlook was disturbing. Burgoyne was severely criticized in Parliament for his proclamation. In his speech before that body he said: 'The proclamation was penned by myself. The design was to excite obedience, first by encouragement and next by the dread, not the commission of severity. To speak daggers, but use none.'¹ From Skenesborough, where Burgoyne made his headquarters on July 10, he sent an order, 'To the inhabitants of Castleton, Hubbardton, Rutland, Tinmouth, Pawlet, Wells, Granville,' and others, to appoint 'ten persons or more from each township, to meet Col. Skeen at Castleton, on Wednesday, July 15, at 10 in the morning, who will have instructions not only to give further encouragement to those who complied with the terms of my late manifesto but also to communicate conditions upon which the persons and properties of the disobedient may yet be spared. This fail not to obey, under pain of military execution.'

Ticonderoga was evacuated by General St. Clair at 2 A.M., July 6. There were more than six hundred Vermont militiamen in the fort on that night under the command of Colonel Moses Robinson and Major Heber Allen, Ira's brother. Ira Allen wrote, long after, that St. Clair never notified the Vermont troops of the evacuation and that only by an accident did they discover this and were enabled to escape.² There is no other record of this circumstance, but Ira Allen had opportunity to learn of it from his brother Major Heber Allen,

¹ *The Substance of General Burgoyne's Speeches*, 28 May, 1778, p. 6.

² *Ira Allen's Address to the Freemen of Vermont* (Philadelphia, 1808), p. 8.

or Joseph Fay, who participated in the retreat. Their not being notified made the Vermonters think it a plan to dispose of them. It was on this retreat that Colonel Warner and about one thousand men were defeated at Hubbardton. Warner with less than two hundred of his men repaired to Manchester, as headquarters, making it the northern frontier town, although it was only about thirty miles north of the southern line of the State.

On the Council of Safety now fell the responsibility of protecting Vermont. It was a heavy burden, for the crisis was imminent and resources were the slenderest. One readily understands the causes of the conditions described by General Schuyler in a letter to Washington: 'I am informed a very great portion of the inhabitants [of Vermont] are taking protection of General Burgoyne, as most of those in this quarter are willing to do.'¹ Faced by these conditions, those members of the Council who lived on the west side of the range² repaired to Manchester, where their first meeting was held on July 11. Thomas Chittenden was elected President, Jonas Fay, Vice-President, and Ira Allen, Secretary.

Allen's office was one of serious responsibility, being equivalent to that of Secretary of State, with powers of signature equal to those of the President. One man, who had been elected a member of the Council of Safety, Allen thoroughly distrusted. This was Benjamin Spencer, formerly a supporter of New York, but now seemingly a zealous convert to the new State. Allen, on the ride from Windsor to Manchester, argued against allowing him to sit in the Council, declaring he would refuse to sit with him, calling him a traitor, and predicting to the others that Spencer would go directly from Windsor to Burgoyne — which was exactly what Spencer did.³

Ira Allen narrates some of the difficulties which confronted the Council at this period:

The Council of Safety then attended to the affairs of the Government, but their situation was very unpleasant, as the Convention had only declared the district to be a free state; but the Government was not organized, as the constitution was not fully completed, and

¹ *Washington Papers*, Library of Congress.

² Chittenden, Jonas Fay, Joseph Fay, Nathan Clark, Ira Allen and Heman Allen who never resided in Vermont. Matthew Lyon and Jeremiah Clark may have been members.

³ Ira Allen's *Address to the Freemen of Vermont* (Philadelphia, 1808), p. 9.

near three quarters of the people on the west side of the Green Mountains were compelled to remove, and the rest were in great danger. . . . The Council of Safety had no money or revenue at command, their powers and credit were not extensive, and all expresses were supported at their private expense; yet, in this situation, it became necessary to raise men for the defence of the frontiers, with bounties and wages; ways and means were to be found out, and the day was spent in debating on the subject; Nathan Clark, not convinced of the practicability of raising a regiment, moved in Council, that Ira Allen, the youngest member of Council, and who insisted on raising a regiment, while a majority of the Council were for only two companies, of sixty men each, might be requested to discover ways and means to raise and support a regiment and to make his report at sunrising on the morrow. The Council acquiesced, and Mr. Allen took the matter into consideration. Next morning, at sunrising, the Council met, and he reported the ways and means to raise and support a regiment, viz, that the Council should appoint Commissioners of Sequestration, with authority to seize the goods and chattels of all persons who had or should join the common enemy; and that all property so seized should be sold at public vendue, and the proceeds paid to the Treasurer of the Council of Safety, for the purpose of paying the bounties and wages of a regiment forthwith to be raised for the defence of the State.

The Council adopted the measure, and appointed officers for the regiment. Samuel Herrick, Esquire, was appointed the Colonel, and the men enlisted, and the bounties paid in fifteen days, out of the confiscated property of the enemies of the new state. This was the first instance in America of seizing and selling the property of the enemies of American independence. [Ira Allen was appointed Treasurer.¹]

About three days after the appointment of Herrick and the other officers, Captain Ebenezer Allen went on a scouting expedition to the north. One of his soldiers was captured by a resident of Danby, named Irish, who started with his prisoner for General Riedesel's camp at Castleton. Irish was killed and his prisoner retaken. This incident and Burgoyne's proclamation induced a number of Vermonters to join the British and Colonel Herrick's Rangers collected their cattle, which were sold. Captain Allen, on his return, brought to the Council of Safety one of General Burgoyne's proclamations and Ira Allen printed it in full in one of his own publications, as he writes, 'to show the spirit of the times and to transmit a copy thereof to posterity, that they may see what the statesmen and heroes of 1777 had to contend with.'²

¹ Allen's *History of Vermont* (London, 1798), p. 95.

² Allen's *Address to the Freemen of Vermont* (Philadelphia, 1808), p. 11.

On July 3, from the Windsor Convention, a letter had been sent, signed by Joseph Bowker, President, to the General Assembly of New Hampshire, telling of the conditions at Ticonderoga.¹ From Manchester on July 11, Ira Allen wrote the New Hampshire Council of Safety enclosing a copy of General St. Clair's letter of July 7, telling of the evacuation of that fort, which left the Grants unprotected except by the few men remaining in Warner's regiment. He also sent a copy of General Schuyler's letter to St. Clair, of July 8.² The Council of New Hampshire, on July 14, called a special meeting of the Assembly, which convened on July 17. Other letters had been received by that body, but it was Ira Allen's letter, written from Manchester July 15, 1777, and carried by a mounted messenger through a wilderness of at least one hundred and fifty miles, in two days, that obtained results. The New Hampshire Assembly, that had met for the sole purpose of deciding on what measures should be taken for defense, voted on July 18, 'That this house resolve themselves into a committee of the whole to join the Hon^{bl} Board to consider of the letter rec^d by express from Ira Allen, Sec^y of the Council of the New State of Vermont.'³

IN COUNCIL OF SAFETY, STATE OF VERMONT
MANCHESTER, 15th July, 1777

GENTLEMEN,— This State in particular seems to be at Present the object of Distruction. By the surrender of the fortress of Ticonderoga a Communication is opened to the Defenceless inhabitants on the frontier, who having little more in present store than sufficient for the maintenance of their Respective Families, and not ability to immediately remove their effects, are therefore induced to accept such Protections as are offered them by the Enemy: by this means Those Towns who are most Contiguous to them are under necessity of Taking such Protection, by which the next Town or Towns become equally a frontier as the former Towns before such Protection, and unless we can obtain the assistance of our friends so as to put it immediately in our Power to make a sufficient stand against such strength as they may send, it appears that it will soon be out of the Power of this state to maintain a frontier. This country, notwithstanding its infancy, seems as well supplied with provisions for Victualling an army as any Country on the Continent, so that on that account we cannot see why a stand may not as well be made in

¹ Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 1, p. 65.

² *Vermont Historical Society Collections*, vol. 1, p. 176.

³ *New Hampshire State Assembly Journal*, July 14, 1777.

this State as in the State of New Hampshire, and more especially as the inhabitants are Heartily Disposed to Defend their Liberties. You, Gentlemen, will be at once sensible that every such town as accepts protection are rendered at that instant forever incapable of affording us any further assistance, and what is infinitely worse, as some Disaffected Persons eternally Lurk in almost every Town, such become Doubly fortified to injure their Country. Our Good Dispositions to Defend ourselves and make a frontier for your State with our own, cannot be carried into execution without your assistance. Should you send immediate assistance we can help you, and should you neglect till we are put to the necessity of taking protection, you Readily Know it is in a moment out of our power to assist you. Laying these Circumstances together will I hope induce Your Honors to take the same into consideration and immediately send us your Determination in the Premises.

I have the satisfaction to be your Honors'
Most Obedt and very Humble Serv't,
IRA ALLEN, *Secr'y.*

By order of Council,
The Honorable the Council of Safety,
State of New Hampshire.

P.S. — By expres this moment received we learn that between 3 & 4 thousand of the Enemy are Fortifying at the town of Castleton. Our case calls for immediate assistance.

I. ALLEN

This letter was immediately effective. The Assembly voted to raise a brigade and appointed John Stark a brigadier general to command and proceed with it, to Vermont. The Assembly, after providing for the troops, adjourned the following day. It was this letter that brought Stark and his troops to Bennington and, without Bennington, Burgoyne's army would, probably, have reached Albany, and then it is very doubtful if any help could have been obtained from France, as the situation would not have looked promising for the success of the American cause.¹ A similar letter was sent to Massachusetts and Connecticut by Allen at his own expense.

On July 19 the General Court of New Hampshire answered Allen's letter, assuring him that troops under General John Stark would be sent to oppose Burgoyne. The letter was addressed to Ira Allen, Secretary of the State of Vermont, and was the first recognition of Vermont's political status. General Stark declined to be under orders of Schuyler or any other

¹ *Schuyler Papers*, No. 2042, New York Public Library.

Continental officer,¹ and the New Hampshire authorities gave him a free hand. For this, upon Schuyler's bitter complaint, they were sharply reprimanded by Congress. Having no satisfactory reply to make, they delayed answer until the battle of Bennington itself stopped the mouth of criticism. Stark ordered his forces to meet at No. 4 (or Charlestown, New Hampshire), and wrote to Ira Allen for advice and directions from the Council as to his future movements. Allen directed him to march at once to Manchester and join Warner's regiment, adding that it was expected that the British would attempt to destroy the stores collected at Bennington for the use of the Continental Army. These supplies were probably purchased in part by Isaac Tichenor, who came to Bennington on June 14, 1777, as assistant to the commissary stationed at Albany.

For a time it seemed that Allen's plans to keep an adequate force in the Grants would be foiled by orders from Saratoga. General Schuyler ordered Stark and Herrick, who with his Rangers was to assist Stark, to join the forces there. Stark was induced to delay his departure, while Herrick was ordered by the Council to remain on the Grants. Meanwhile Allen, with his minute knowledge of the country, and with the help of spies in Burgoyne's camp, kept himself and the Council informed of every move of the British.² On August 9, Stark arrived in Bennington, and was informed of the British march on that town. Colonel Baum, in command of the British detachment, on August 14, camped a few miles from Bennington, within the present boundaries of New York. Learning that he was opposed, he sent to Burgoyne for reinforcements, which were at once dispatched. Stark, meanwhile, had also directed Warner's regiment at Manchester to join him. The opening of the battle was delayed by a day's rain, which rendered the use of flintlocks impossible. About sunset on the evening of August 15 information reached the Council, which had first adjourned to Sunderland and then to Bennington, where they now were, that Colonel Skene would join Baum

¹ In 1779 Ira Allen was informed at Exeter by Mr. Thompson, Secretary of the New Hampshire Council, that, because Colonel Poor had been appointed brigadier general, Stark was offended and declined service. Both Poor and Stark had been captains in the invasion of Canada. Stark then (1776) predicted that in 1777 a powerful army would come from the north, which he and the Green Mountain Boys would cut off wing by wing. (Ira Allen's *History of Vermont*, p. 99.)

² Allen's *Address to the Freemen of Vermont* (Philadelphia, 1808), p. 14.

with fifteen hundred men on the following afternoon. Stark, who had planned the battle for the 17th,¹ promptly decided to fight the next day, but was unable to attack until after midday.

Before reinforcements had time to arrive, Colonel Baum's men were defeated and their commander killed. Herrick's Rangers were pursuing the retreating British, when they met Skene's reinforcements from Burgoyne. Stark's men were scattered and resting, but just then Warner's men opportunely arrived, and attacked with such spirit that the enemy fled. The day of the battle was intolerably hot. Colonel Warner's health was permanently impaired by his exertions, while Captain Heman Allen's death was directly traceable to the same cause. The latter suffered great fatigue from the heat, took a severe cold from which he never recovered, and died May 18, 1778. His death was a grievous loss to Ira Allen. He left his estate — large for those days — and his only daughter to the care of his brother Ira. Ethan Allen returned to Vermont from his captivity just too late to see his brother through whose efforts he had been exchanged.²

General Stark was also ill after this engagement.³ He paid a warm tribute both to Herrick and Warner in his official reports. In a letter to the *Connecticut Courant*, August 18, 1777, Stark wrote of the events previously related here, mentioned the fact that General Schuyler had ordered him, with all the militia, to join him at Saratoga, and added:

In obedience thereto I marched with my brigade to Bennington on my way to join him, leaving that part of the country almost naked to the ravage of the enemy. The Honorable the Council then sitting at Bennington were much against my marching with my brigade, as it was raised on *their request*,⁴ they apprehending great danger of the enemy's approaching that place, which afterwards we found truly to be the case. They happily agreed to postpone giving orders to the militia to march, by which, together with their repeated applications for the militia of the state of Mass. Bay, and supplying with arms and ammunition, afforded the greatest assistance in obtaining the glorious and memorable victory over the enemy near this place on

¹ Ira Allen's *Copies of Letters to the Governor* (Philadelphia, 1811), p. 45.

² Royal Institute of Great Britain, London. American MSS., vol. 10, No. 162.

³ Caleb Stark's *Memoirs and Official Correspondence of John Stark* (Concord, 1860), p. 129.

⁴ Italics are mine. — *Ed.*

the 16th instant, who were determined to have penetrated the country.

I cannot therefore in justice resist giving the Hon. Council the honor of exerting themselves in the most spirited manner in that most critical time.¹

Colonel Herrick proposed the plan of attack which was followed and which greatly assisted in winning the battle of Bennington.² Ira Allen wrote long after:

Before this battle, heaviness and a dark cloud hung over the Northern States. General Burgoyne's army was large and had been victorious in every place, and his proclamations breathed forth many threatenings, and in addition, the highest *confidence* was not placed by the people, in Genl. Schuyler. In verity it was the time that tried the fortitude and spirits of all men. . . .³

Schuyler was superseded by General Gates; and that, with the winning of this battle, put new courage into all New England.⁴ The defeat paralyzed Burgoyne's army.⁵ Clinton wrote some time afterwards, 'There was no more scalping by the Indians.' This success was the first link in the chain of events which made victory possible for America. France in due time engaged in the contest,⁶ and the question of American independence was no longer considered doubtful.

Daniel Pierce Thompson, the Alexander Dumas of Vermont, in his book 'The Rangers' (1851) gives an interesting account of the proceedings of the Council at Manchester on the memorable day that Ira Allen made his proposition to raise a regiment. In an address⁷ he said that his statements were based on information given him by Daniel Chipman who was then a boy and was present. He ends his chapter with the following, which has been concurred in by many writers since:

Speculative writers have often amused themselves in tracing great events to small causes. And in this they often times so wonderfully succeeded, as to show, beyond the power of man to refute, some of the most trivial circumstances of life, considered by themselves, to have caused the revolutions of empires. Were we to make out an instance of this character, to be added to the many other remarkable ones which have been noted by the curious, it should be done by

¹ *Connecticut Courant*, October 7, 1777.

² Ira Allen's *Address to the Freemen of Vermont* (August, 1808), p. 14.

³ *Ibid.*, p. 17.

⁴ *Ibid.*, p. 19.

⁵ Madame Riedesel's *Memoirs*.

⁶ Caleb Stark's *Memoirs and Official Correspondence of John Stark* (New York, 1858), p. 64.

⁷ *Vermont Historical Society Proceedings*, 1908-09.

tracing the independence of America to the measure which Allen so boldly projected, as he walked his lonely chamber, on the eventful night we have described. The independence of the colonies was, at that dark crisis, balancing as on a pivot; and the success of Burgoyne must seemingly have turned the scale against us. The success of Burgoyne, at the same time, hung on a pivot also; and the victory of Bennington, with all its numberless direct and indirect consequences, as now seems generally conceded, turned the scale of his fortunes when his success, otherwise, could scarcely have been doubtful. But the victory of Bennington would never have been achieved but for the decided and energetic movement of Vermont, which alone secured the coöperation of New Hampshire, or, at least insured victory when, otherwise, no battle would have been hazarded. And that essential movement of Vermont would never have been made but for the bold and characteristic project of Ira Allen.

Thus the second great crisis in the affairs of the new State was passed with Ira Allen's hand again upon the helm. In this instance the results of his efforts were felt far beyond the borders of Vermont. The orderly manner in which Allen proceeded, even under stress of war, is illustrated by the following Commission of Sequestration, issued by the Council:

IN COUNCIL OF SAFETY, STATE OF VERMONT
BENNINGTON, 28 *July*, 1777

You are hereby required (agreeable to a previous resolve of this Council) to seize all lands, tenements, goods and chattels, of any person or persons in this State; whom you know or may hereafter learn, to have repaired to the enemy, and a true inventory thereof to take, and return to this Council, except articles as are wanted for the use of the army; which are wanted at Manchester or elsewhere, where there is a contractor to receive and pay for them. You will appoint three persons noted for good judgment, who are, after being duly sworn, to apprise the same; and all other movable effects you are to sell at public vendue, except such necessities as humanity requires for the support of such families. And after paying necessary charges you are to remit the remainder of the money to this Council. You will take the natural and artificial marks of every creature you shall receive, or take, and their age, from whom they came, for what sold, and to whom sold. You are to lease out all such lands and tenements at a reasonable price, not exceeding two years, giving the preference to such persons as have been drove from their farms by this war. You are further authorized to arrest any person, or persons, you shall have sufficient grounds to believe are enemies to the liberties of this and the United States of America, and all such persons as you shall arrest you will seize all their movable effects (where there is danger of their being embezzled) and keep in safe custody until after trial. If they are acquitted, to give unto such person or persons, such siezour; but if found guilty, to make return to this

Council. You are to call to your assistance such person or persons as you shall find necessary, keeping regular accounts of all your procedures.

By order of Council.

IRA ALLEN, *Secy.*

To induce the settlers to return to the Grants, he published the following notice:

IN COUNCIL OF SAFETY, STATE OF VERMONT
BENNINGTON, *July 28, 1777*

Whereas the inhabitants of the northwesterly part of this State have been necessitated to remove their families by the encroachments of the enemy, and some are removed to the states of Massachusetts Bay and Connecticut:

These are therefore to earnestly request such men to return and assist in defending this and the United States of America from the ravages of the enemy, as it will be to their honor, and much to their profit, as we have authentic accounts, this moment arrived, that the enemy have evacuated Castleton for fear of devastation by our troops that were gathering to pay them a visit; for which reason it is likely that most or all the crops may be saved, if the inhabitants return soon.

By order of the Council,

IRA ALLEN, *Secretary*

On June 30, 1777, at the instigation of the New York delegates, the Continental Congress had passed resolutions that tended to discourage the settlers on the Grants from forming a new State.¹ These resolutions had been printed and circulated in Cumberland County, eastern Vermont, by Captain James Clay, Chairman of the Cumberland County Committee of Safety. On August 10 the Council at Bennington issued a warrant for Clay's arrest. Allen, meanwhile, proceeded across the range and was successful in counteracting the efforts of New York.² Clay was arrested and taken before the Council, reprimanded, detained in custody six days, and then allowed to return to his home in Putney. Allen busied himself in recruiting and paying the bounty of Herrick's Rangers, who did good service at Bennington. The following letter will indicate the anxiety with which he regarded the situation.

To the Inhabitants of Putney and the Adjacent Towns.

GENTLEMEN, FRIENDS & NEIGHBORS,

Providence having allotted our Habitations in the same vicinity, together with our late Political Connections, induces me to wish an

¹ *Documentary History of New York*, vol. 4, p. 944.

² *Vermont, Records of the Governor and Council* (Montpelier, 1873), vol. 1, p. 137.

entire Union amongst us; [I] learn by some Gentlemen here that by reason of some Printed Resolves from Congress some Gentlemen have attempted to alienate or seduce the minds of some of the good People here from a New State.

I would firstly observe, that by order of the Council for [of] this State; I have sent several Letters and Resolves from the Provincial Congress of New York, to the Honorable the Continental Congress, with a Letter from the Council of this State to the Inhabitants thereof; to the Printer in Hartford, which [I] expect will soon be made Public in the Papers. Trust they will serve to show what New York are, and to further establish the good People here to this State, I leave herewith a copy of some part of s'd Resolves in which you will observe they request the Honorable the Congress to interpose their authority and advise the Inhabitants to submit to the Jurisdiction of New York and also to Disband the Regiment directed to be raised by Col. Warner. Neither of which Requisitions are so much as named in s'd Printed Resolutions of Congress. But I hear Col. Warner is advanced to a Brigadier General, nor is there a word contained in s'd Printed Resolutions to so much as advise us to submit to the Jurisdiction of New York which doubtless would have been done, had they Intended it.

The people on the West Side of this State are but very little uneasy about this matter, and but few Towns on this Side, as I am Informed; and as New York will be ever ready to receive us, we need not be in Haste to Join them. I therefore expect the Inhabitants here will content themselves until our Constitution can be Printed and sent through the several Towns that the People may Compare the Constitution of New York & this together & then Candidly Determine whether it is Best, Wisest and Cheapest for those Inhabitants to govern themselves or pay Foreigners for doing it.

I am, Gentlemen, Yours to Serve

IRA ALLEN

PUTNEY, *August 15, 1777.*

This mission engaged Allen from August 10 to August 24, and apparently prevented him from being with the Council when the battle of Bennington was fought. During his absence, Paul Spooner acted as Deputy Secretary. Spooner made an earnest but futile attempt to induce General Bayley to attend a meeting of the Council, which was then engaged in supplying the army. According to Spooner's letter to General Bayley, there were only eleven members, for he pointed out that the 'attendance of all members (that are on this side the mountain) was required to make a quorum.' Jonas Fay, Heman Allen, Nathan Clark, and Spooner were present. Chittenden evidently was absent, for he signed no papers, from August 10 to 20. He had moved his family to

Williamstown, Massachusetts. 'A plan was laid by the Council of Safety and General Lincoln to cut off Burgoyne's communication with Canada.' The Vermont troops, moving at once to this purpose, captured Mount Defiance and liberated many prisoners,¹ but lack of coöperation on the part of the different commanders prevented the capture of the other forts on the lake. The Council meanwhile was earnestly engaged in recruiting militia for a blow at Burgoyne. 'Spare none that is able to fire a gun or ride a horse,' wrote Colonel Williams.²

It was a strenuous time for the little body of men who bore the burden of the affairs of the new State. From time to time they sent to the generals of the Northern Army information as to Burgoyne's movements. They were constantly busy, appointing officers in Herrick's Rangers, furnishing troops and supplies, trying Tories (for the Council acted as a court), and ordering men to harvest crops for the army. An order signed by Thomas Chittenden directed Benjamin Fassett to go to Pownal 'and bring from some of the Tories a Load of Saus [Sauce].' A long list of Tory prisoners was sent to General Lincoln. Most of the official papers were signed by Ira Allen, until it became necessary for him to relinquish the work and devote his attention to the election of members of the State Assembly. Joseph Fay, a brother of Jonas Fay, was then appointed Secretary, holding that office until March, 1778.

New York, in the meantime, was making a desperate effort to prevent members being elected to the Assembly of Vermont. To counteract this influence, Ira Allen, in October, wrote another pamphlet 'Miscellaneous Remarks,'³ rode to Hartford to have it printed, and circulated it throughout the State. He then gave his time to writing the preamble of the Constitution and getting that document copied, and he again visited Hartford on November 26 to arrange for its printing.

The Council was coping all summer with perplexing details due to the disturbed nature of the time. One example may be cited as illustrative of the problems that arose. Colonel Peter Olcott proposed the following question to the Council: 'Several of my men deserted over to the enemy after being drafted to

¹ Ira Allen's *Address to Freemen of Vermont* (Philadelphia, August, 1808), p. 18.

² Manuscripts, Brooks Library, Brattleboro.

³ Appendix IV.

go to Ticonderoga, were gone about one month and returned. The question is what must be done with these men.' Council answered, 'If those men are willing to defend the states at the risque of life and fortune, to lose what has been taken from them and sold for the benefit of the country, and in case no seizure and sale has been made, pay a fine adequate to their crimes, give them protection and pardon, but if they refuse to be [ar] their proportion of Expence and will not take up arms in favor of our cause, Treat them as outlaws.' ¹

Of Burgoyne's surrender to Gates on October 17, Ira Allen wrote:

The surrender of General Burgoyne, with a powerful British Army, which was no doubt of the first consequence to the then pending cause of the United States, from its more than threefold effects, *First*, In uniting and strengthening the people, and armies thereof; *Secondly*, In discouraging the British, Hessians and Loyalists troops in America, strengthening the minority, and opposers to the war in England and Ireland, which weakened the hands of the ministerial sticklers for such war in Great Britain, and lessened the influence of the Tories in the United States: *Thirdly*, It enabled the United States to make a treaty with the French Nation, in 1778, which brought the French fleets and armies to act in concert with the ships and armies of the United States, with supplies of military stores, and not only opened the ports of France, to the cruizers of the United States, but it brought France and other Powers into the war against Great Britain . . . and enabled Mr. Adams to establish loans, and to purchase military stores in Holland.²

On November 14, Joseph Fay, Secretary of State, wrote to Colonel Herrick: 'It has been some considerable time since this Council have been Together, occasioned by the Indisposition of the bodily Health of some of the Members — They are now together.'³ On November 25, Thomas Chittenden, President, signed a letter to Captain Joseph Bowker, stating that: 'The Confusion and Multiplicity of Business Occasioned by the Unhappy War in the Northern Department since the appointment of this Council has prevented their being able to get the constitution printed which obliges us, this Council, to desire you to Call together the old Convention to meet at Windsor, on Wednesday, the 24 of December Next, which you will not fail to do. P.S. The business of the Convention

¹ Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 1, p. 189.

² Ira Allen's *Address to the Freemen of Vermont* (Philadelphia, 1808), p. 19.

³ Vermont, *Records of the Governor and Council*, vol. 1, p. 195.

will be to Adjourn the meeting of the General Assembly.' * The July Convention had directed the first election for State officers to be held the following December, 'and the legislature to meet at Bennington the succeeding January.'

On December 24 the Convention met at Windsor. The fact that no record appears to have been kept indicates that probably the season of the year reduced its numbers to the few delegates resident near by. Ira Allen must have ridden over one hundred miles from Salisbury, Connecticut, through winter snows, to attend. On the adjournment, he returned to Hartford to hurry the printing of the Constitution. The only account we have of the Convention is given in his 'History of Vermont':

Now many of the citizens of Vermont returned to their habitations. The Council of Safety again paid attention to the constitution, and made a preamble, stating the reasons why the citizens had rejected all connections with New York; but as there was not time, before the day assigned for the election, to print and publish the constitution, therefore the Convention was summoned to meet at Windsor, in December, 1777: They met, revised the constitution, and appointed the first election to be on the 12th day of March, 1778. One difficulty was discovered by some members of the Convention, who concluded the best way to evade it was, to keep it in as small a circle as possible; the difficulty was, to establish the constitution, without the voice of the people; further than was vested in the Convention by their credentials, that authorized them to form a constitution, but were silent as to its ratification, and they had no ancient government to predicate their claims upon; besides intestine divisions and different opinions prevailed among the people, and even in the Convention. To avoid discord, a large majority, in one instance, conformed to a minority, when deliberating on the articles of the constitution. As the people seemed inclined for a popular government, the constitution was so made, and for the better satisfying those who might choose any difference in the form of government, and as circumstances or increasing knowledge might make it necessary, a principle was established in the constitution, by which legal means might be taken to alter or amend the constitution once in seven years, agreeable to the will of the majority of the freemen of the State, which, if perpetuated, would transmit to posterity the same privileges of choosing how they would be governed, as the people of that day exercised from the inherent right of nature, without revolution or bloodshed. Had the constitution been then submitted to the consideration of the people for their revision, amendment, and ratification, it is very doubtful whether a majority would

* Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. I, p. 201.

have confirmed it, considering the resolutions of Congress, and their influence at that time, as well as the intrigues and expence of the provincial Congress of New York, who endeavored to divide and subdivide the people. Under these circumstances the Convention appointed Ira Allen to see the constitution printed and distributed before the election. Mr. Allen returned from Hartford, in Connecticut, a few days before the time of the general election, with the constitution printed, and dispersed it. There was one (or more) in each town who coveted the honour of being a member in the first general Assembly of the new state of Vermont. It was, therefore, their interest to induce their friends to attend the meeting, and take the freeman's oath. This was done, and representatives were elected, and attended the Assembly at Windsor, on the 12th of March, 1778, when and where the votes of the freemen for a Governor, a Lieutenant Governor, 12 Counsellors and a Treasurer, were sorted and counted, and the persons who had the majority of votes for the respective offices, were declared duly elected.

Thus the constitution of the State of Vermont was put in force, and Bennington was the only town that objected against the constitution, for the want of a popular ratification of it. Only twenty-one freemen qualified in that town, who elected representatives for the first general Assembly, but as the people and the Assembly approved of the constitution, which was subject to a revision and amendment every seven years, the Bennington objection died away, and universal content has prevailed in the State.¹

Ira Allen realized almost one hundred years before Lincoln's words were uttered that 'the problem of democracy is to create a government strong enough to protect the state, but not so strong as to take away the liberties of the citizens.'

¹ Allen's *History of Vermont*, pp. 107-10.

CHAPTER IV

VERMONT'S FIRST LEGISLATURE ANNEXING A PART OF NEW HAMPSHIRE

1778

It is doubtful if history records a parallel to the task that lay before Ira Allen and his associates in setting in motion the machinery of the new State. Without any credit abroad, funds must be raised, varied and conflicting elements harmonized; 'Yorkers' and their sympathizers, New Hampshire citizens, and Tories dealt with. The settlers scarcely dared express themselves freely to their own neighbors, with disloyalty at home and war on the borders. To deal with this situation, a leader must have a wide acquaintance, inspire general confidence in all who knew him, and read human nature like an open book; and these were Ira Allen's qualities.

A friend and adviser of Allen in those days was Oliver Wolcott, of Connecticut, and to a young man of Allen's age his friendship was indeed a compliment. Vermont may owe much to Wolcott's advice. Allen visited him in January, when on his way to Hartford 'to change a few words of the Constitution and to hurry its printing.' On February 2 he paid 'David Bunce and Elisha Smith for bringing the copies of the Constitution and a pamphlet written by Ira Allen £2-12-0.'

It was thought best to introduce the Constitution to the people through an official letter, over the signature of Thomas Chittenden, President of the Committee of Safety:

STATE OF VERMONT. IN COUNCIL OF SAFETY
BENNINGTON 6th Feb. 1778

*To the inhabitants of the State of Vermont.*¹

GENTLEMEN: — The United & joint Representatives of this State in their General Convention held at Windsor, and on the Several times afterwards by Adjournments, did on the 2d [8th] day of July last Compose & agree Unanimously on a Constitution for the future government & Mutual advantage of its Inhabitants. It was then proposed by the joint agreement of the said Representatives that such Constitution should be printed so as to have had them circulated among the Inhabitants seasonably to have had the General

¹ Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 1, p. 215.

Election of Representatives to Compose the General Assembly in December last, who (by agreement) was to have met at Bennington within this State in the month of January last, but finding by repeated experience that the Troubles of the War and Encroachments of the Enemy would of Necessity render it impossible, this Council did think fit to again call on the members of the General Convention to meet, who accordingly met at Windsor on the 24th day of December last, & did Unanimously agree to postpone the day of Election until the first Tuesday of March next, & the setting of the Assembly to be at Windsor, on the 2d Thursday of March next. The Constitution is now printed; & will be distributed among the Inhabitants of the several Towns in this State, so early that they may be perused before the day of Election, which this Council hope will Sufficiently Recommend the most safe & just Method of Choosing of Representatives to compose the General Assembly. Nothing but a real zeal for the future well being of the Inhabitants of the United States of America in General & this in particular could have induced this Council to have undertaken the arduous Task of Setting so many Months successively to provide for the Safety of its Inhabitants. They therefore Flatter themselves that their Services will meet the approbation of their Employers. The Council are fully of the opinion, that nothing but [the want of] a firm Attachment & joint Connection of the Inhabitants of this State can frustrate or prevent their being what they so reasonably wish to be.

I am Gentlemen (by order of Council)

THOMAS CHITTENDEN, *President*

Allen personally distributed the Constitution through the State, often being forced to break a road through deep snow.² With the Constitution he placed in the hands of the settlers his reply to a proclamation issued by Governor Clinton of New York promising 'remission of all prosecution' to all Vermonters who yielded to New York authority, and threatening dire peril to all who did not; a threat entirely disregarded in the preparation for the first General Assembly. This was held at Windsor, instead of at Bennington as was first planned, perhaps because of Bennington's hostility as recorded on page 112 and because Windsor was nearer the center of the State, and had a location value in holding together the friends of Vermont on the east side of the range. Ira Allen furnished the paper for the use of the Council and Assembly.

The Council proceeded to Windsor and on March 12 called the delegates 'to assemble at the Town House in this place immediately to form a house of Assembly.' The journal of the Assembly does not contain a record of the members present, or

² Vermont (*Force Transcripts*), p. 182. Library of Congress.

of the towns represented. Allen could not trust his memory to name them in his 'History.'¹ The vote for State officers resulted in the election of Thomas Chittenden, Governor. This undoubtedly was brought about by Ira Allen, for his acquaintance throughout the State was far more extensive than that of any other man. Chittenden had not been as active in promoting the new State, up to this time, as had Joseph Bowker. Bowker's acquaintance was far more extensive than Chittenden's, for he had presided at all but one or two of the Conventions. At this election Bowker was elected a representative from Rutland and, before the votes for officers were counted, he was chosen Speaker of the House. When the votes were canvassed he received the highest vote cast for any Councilor. He accepted the latter office and was a member of the Council for seven years, until his death. He and Allen worked in harmony for ten years. His coöperation in electing Chittenden attests his unselfish character, while Chittenden's continuance in office for nearly twenty years is a proof of the generous statesmanship of the few men who created the State of Vermont. Joseph Marsh was elected Lieutenant-Governor; Ira Allen, Treasurer and member of Council. Allen as Treasurer gave a bond for £10,000 lawful money, a large bond for the time,² and one that few could have furnished. Seth Warner was appointed brigadier general of the State militia. One of the first acts of the Assembly was to vote to the members three dollars a day from the time they left home and fourpence per mile horse travel.

The Assembly passed a Highway Act, established the 'Common Law' of England as the law of the State, and empowered the Council to dispose of the estates of Tories. Joseph Bowker and Heber Allen were appointed Judges for Rutland. Many of the bills considered had, undoubtedly, been prepared in advance by the Council.

The situation of Vermont was peculiar: its enemies, besides the British at the north, were those of New York at the south, and also a number of people of good sense and large property in the southeast part, who had leagued with the junto of New York against the new state. In consequence of internal divisions, and to make government popular, it was thought good policy not to lay any taxes on the people, but to raise a sufficient revenue out of the property confis-

¹ Allen's *History of Vermont* (London, 1798), p. 110.

² Manuscript Journal, 1778, Office of the Secretary of State of Vermont.

cated, and the ungranted lands. Hence it was found that those who joined the British were benefactors of the State, as they left their property to support a government they were striving to destroy. It is further to be observed that not only the civil list was paid by the sale of the enemy's property, but new and firm friends were added to the Government. While the states in New England were severely taxed to carry on the war, Vermont had no taxes to pay. This circumstance greatly promoted migration into Vermont and those who came with that view were staunch friends to the new government.¹

As soon as the danger of Burgoyne's invasion was passed, a new and quite as serious a crisis arose from within the Grants. Ira Allen gives at some length a description of conditions:

Since the acquiescence of the late government of New Hampshire to the change of jurisdiction in 1764, a good understanding subsisted between New Hampshire and the district of the New Hampshire Grants; indeed, that state had gone further towards the admission of Vermont to sovereignty and Independence than any other as will appear from Prest. Weare's letter of July, 1777, to Ira Allen, Secy. of the State of Vermont . . . From these circumstances, it appeared that New Hampshire had virtually acknowledged the independence of Vermont, and it was expected that she would use her influence to have it acknowledged by Congress. But these prospects were soon clouded by the conduct of some people contiguous to Connecticut River, in New Hampshire who, attempting privately to concert measures to bring the seat of government to said river, called a convention at Hanover to concert measures to unite all the New Hampshire Grants in one entire state; to effect which, a pamphlet was printed in 1778,² in which it was stated, that New Hampshire was granted as a province to John Mason, and to extend sixty miles from the sea, which formed the line called and known by the name of the Mason line; that the lands to the west of that were annexed to New Hampshire by force of royal authority, and the lands were granted in pursuance of instructions from the King and Privy Council, — that the jurisdiction of New Hampshire, west of the Mason line, ceased with the power of the Crown, as it was held by force of royal commission only; that therefore the people were at liberty to chuse what form of government they would establish, and they thought proper to unite with the people of the New Hampshire Grants, west of Connecticut River, who were about to establish a new state. These measures drew the attention of the people, so that a petition from sixteen towns (including Hanover and others of the east side of Connecticut River) was presented to the Legislature of Vermont, at their first session, in March 1778: In the course of said petition it was stated, that said sixteen towns were not connected with any state with respect to their internal police, and requested Vermont to

¹ Allen's *History of Vermont* (London, 1798), p. 111.

² Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 5, p. 513.

receive them into union and confederation. The legislature was much perplexed with this petition; the most discerning men were apprehensive of difficulty from New Hampshire if they interfered with her internal police; the dispute arose so high, that some members contiguous to Connecticut River threatened to withdraw from the legislature, and unite with the people east of the said River, and form a state.¹

After much argument it was voted to refer the matter to the people 'and [they] to instruct their representatives accordingly.' This was a very early instance of the referendum in this country.

The Assembly and Council were in session from March 13 to March 26, when both adjourned, the Assembly to meet in Bennington in June, and the Council to meet in Arlington in April. Ira Allen's efforts resulted in the west side of the State being represented by six Councilors, and the east side by six Councilors and the Secretary, Thomas Chandler, Jr. The east side was still a problem to Allen, however. Some of the ablest men of the State resided there, and, assisted by President Wheelock of Dartmouth and his associates, they did all that they could to overthrow the new State. Allen's successful contest with this influence was carried on while he was also fighting the group in New York led by James Duane, John Jay, George Banyar, and other able men. His success is sufficient proof of his influence and strength.

On April 9 the Council met in Arlington, but no one from the east side attended. In the absence of Chandler, Matthew Lyon acted as Deputy Secretary. The Council, on April 10, commissioned Captain Wallace to take two men and arrest all Tories and spies in the territory east of the range. About this time there was an alarm from the north. Governor Chittenden sent a strong letter 'commanding' Lieutenant-Governor Marsh to raise soldiers on the east side of the range, ordered by the Assembly, and march them to Rutland. Marsh wrote of his difficulties; that if men were drafted they would join New Hampshire troops.²

While these measures were being taken and the Council was making every effort to protect the settlers, Ethan Allen again appeared. Owing to his brother Heman's efforts he had been

¹ Allen's *History of Vermont* (London, 1798), p. 113.

² Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 1, p. 257.

exchanged and set at liberty. Either from choice or as a result of orders, he at once repaired to Valley Forge, where he had a long interview with General Washington. General Gates was also there, and, when Gates left to go to Albany, Ethan Allen accompanied him. Soon after, Ethan Allen was appointed a Lieutenant Colonel in the Continental service, his commission to date from the day of his capture in 1775, with pay of seventy-five dollars per month. There was great rejoicing in Bennington when he arrived. He at once took an active part in the affairs of Vermont. General Gates wrote Governor Chittenden urging the enlistment of three hundred men, which action had been authorized by the Vermont Assembly. In answer to this Ethan Allen wrote Gates, that 'one hundred and fifteen men are raised on this side the mountain and are now guarding the frontiers at Rutland under the command of Captain Brownson with forty men of Warner's regiment. . . . Col. Warner is retired to the sea side for the recovery of his health. . . . Col. Beatle [Bedels] is carrying a cursed scheme of building a fort, where there is no likely hood of an enemy appearing to all eternity.' ¹

The meeting of the Assembly in June at Bennington was a stormy one. The east side was largely represented, and clearly fostered a move calculated to increase their strength — to admit to the new State sixteen towns east of the Connecticut River. This resolution was passed by a vote of thirty-seven to twelve. A remonstrance protesting against forming an independent State was presented by citizens of Guilford, Brattleborough, Putney, Newfane, Hinsdale, Rockingham, Westminster, and Weathersfield.² Feeling rose so high that several members of the Assembly were dismissed, and others compelled to keep their seats. The influence of the Dartmouth group appeared in the resolution of June 15 'to take the incorporated University of Dartmouth under the patronage of this state.' The Assembly adjourned subject to the call of the Governor. Ira Allen advanced £30 to help defray the expenses of this Assembly, made all records, which now are probably incomplete, and spent two days after the adjourn-

¹ Ethan Allen to General Gates, May 28, 1778. Historical Society of Pennsylvania.

² Manuscript in New York Historical Society; also Wilbur Photostats, University of Vermont.

ment in putting matters into shape. He then proceeded to Albany to consult with General Stark respecting the frontier.

The methods of enforcing order employed on the west side of the range were always direct. Tories were tried and banished. Meetings were held in Shaftsbury and strong remonstrance made against such banishment,¹ but it did not prevent eight Tories being sent to Stark at Albany. Ethan Allen wrote a characteristic letter to General Gates,² and General Stark in passing on the prisoners wrote on July 15, 'I send you by the bearer, Capt. Clark, eight of those gentlemen called tories, who has been found to be so enemitical to their country, that the council of our good friends at Bennington, have thought proper to banish them from us and send them to their friends. . . . I could heartily wish that every state on the continent would follow so noble an example.'³ On July 24, Ethan Allen wrote Elisha Payne from Arlington, promising to deliver a letter sent by Payne to General Stark, as he was taking seventeen wicked Tories 'destined to the British lines. . . . [They] are Yorkers as well as tories . . . Cumberland County is greatly invested with New York malcontents . . . Write me your opinion.'⁴ At this time Payne was engaged in trying to destroy Vermont by annexing it to New Hampshire.

On Ira Allen's return from Albany, at the end of six days, he spent five days in 'regulating treasurer's and Loan office books and papers,' and then started on a week's trip to the northern frontiers. When he returned, Ethan Allen wrote a pamphlet which he entitled an 'Animadversory address' in answer to Clinton's proclamation of February 23, already referred to in these pages. This paper Ira Allen took to Hartford, where he had it printed for circulation throughout the State. During August and part of September he was preparing with characteristic foresight and energy for the coming session of the Assembly in October. Wherever there was doubt, he interviewed the members personally and endeavored to obtain their pledge to support certain measures to be presented to the Assembly.

The sixteen towns that had withdrawn from New Hamp-

¹ Manuscript in New York Historical Society.

² *Ibid.*

³ *Ibid.*

⁴ Vermont (*Force Transcripts*), p. 138. Library of Congress.

shire notified that State of their withdrawal, and Meshech Weare, the President of New Hampshire, on August 19, wrote to the New Hampshire delegates in Congress to have Congress take action at once, 'intimating his apprehension, that without it, the controversy must be decided by the sword.' Weare also, on August 22, wrote the Governor of Vermont claiming the towns 'and beseeching him to use his influence with the Assembly of Vermont to dissolve the newly formed connection.' Ethan Allen was sent to Congress by the Council to see in what light the new State was then considered. He found Congress opposed to it. Ira Allen meanwhile spent seventeen days in September putting in order the records of the Convention, Governor and Council and Assembly, for which task he had been appointed along with Jonas Fay and Moses Robinson.¹

On September 29 he was occupied drafting bills for the coming Assembly. Allen advanced the necessary money to provide an office for the Treasurer and Loan office and supplied it with 'firewood, candles &c.' The Assembly met at Windsor, October 8. Thomas Chandler from east of the range was made Speaker and Bezaleel Woodward from Dresden [Dartmouth College] was made Clerk. There were present forty-nine members from the east side of the range, including those from New Hampshire, and only twenty-four from the west side. Ethan Allen was elected from Arlington, but declined taking the necessary religious test.² Of these seventy-three delegates, sixty-one were from Vermont and twelve from New Hampshire.³

The representation of the New Hampshire towns gave the delegates east of the range a large majority. After the Assembly had acceded to Ira Allen's request that a committee be appointed to adjust the accounts of the Treasurer for the past year and report, Ethan Allen, who had attended Congress and conferred with its members, reported to the Council on October 10 that in his opinion 'except this state recede from such union [with New Hampshire] immediately, the whole power of the Confederacy of the United States of America will join

¹ Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 1, p. 272.

² *Ibid.*, p. 97.

³ Allen's *Vindication of the Conduct of the General Assembly of Vermont* (Dresden, 1779), p. 23.

to annihilate the State of Vermont.' On Tuesday morning the Council joined the Assembly to consider what reply to make to President Weare's letter of August 22. There must have been a continuous debate, for no other business was considered from Tuesday to Saturday. A dramatic incident occurred when Ethan Allen arose to make a speech. The majority protested, as he was not a member of the Council or Assembly. This did not prevent him from speaking, for no one cared to attempt to stop or eject him. One member inquired whether the New Hampshire delegates in Congress had promised to assist him against New York in case he would have the Union dissolved? '*Yes they did upon honor,*' he replied. The combination of the eastern delegates was too strong for Ira Allen, and on Friday the Assembly voted to support the Union. A committee was appointed 'to draw the outlines of a plan to be pursued for the further establishment of the state, and to lay a foundation for an answer to President Weare's letter.'¹ The committee was controlled by Payne, Marsh, and Woodward; Chittenden and Jonas Fay being the minority from western Vermont.

Under the control of the east side majority, the committee drew up a statement not conspicuous for strength or logic. On the committee to reply to Weare's letter, even the hostile majority felt that Ira Allen must be placed, but they named with him Jonas Fay, Colonel Payne, Woodward, and General Bayley, the last three bitter enemies of the new State. Payne and Woodward with seven others were appointed a committee to draw a bill to divide the State into four counties. Here, however, the work of Ira Allen in preparation for the Assembly displayed his superior generalship. Before the committee's bill was prepared, a vote was taken on three questions on which Allen had already canvassed the members:

Question 1. Whether the counties in this State shall remain as they were established by the Assembly in their session of March last? The vote was, Yeas 35, Nays 26. At this the nays protested that this left the sixteen towns from across the river out in the cold, since they had never been 'annexed to any county in the state,' and were 'thereby put out of any protection or privilege of the state.' They also held that this vote negatived the report of the committee, which had been con-

¹ Vermont *Records of the Governor and Council* (Montpelier, 1873), vol. 1, p. 417.

firmed by a resolve of the Assembly of the day before, on the subject.

Question 2. Whether the towns, east of Connecticut River included in the union with this State, shall be included in the County of Cumberland?

Question 3. Whether the towns on the east side of Connecticut River who are included, by union, with this State shall be erected into a distinct county by themselves?

The majority was apparently maneuvered by Allen into allowing both questions to be voted on together. The nays prevailed, thirty-three to twenty-eight. Thereupon twenty-five of the twenty-eight signed a statement that the sixteen towns are 'thereby effectually debared from all benefit, protection and security of the commonwealth of Vermont.' Together with Lieutenant-Governor Marsh and two Councilors they then signed a written protest and withdrew, accompanied by a number from eastern Vermont. However, there remained a sufficient number elected in Vermont to constitute the required quorum. Martin Powell was made clerk in the place of Woodward, who was paid fifteen dollars for his services.

The manner in which Allen outmaneuvered the Dartmouth group must have afforded him equal amusement and satisfaction. One can easily reconstruct his arguments to the members of the Assembly against dividing Vermont into more than two counties: Why change the existing division and weaken either county? And why add the sixteen newly annexed towns to Cumberland County, when they were divided from it by an unbridged river? As to constituting these towns a new county, why hurry? At least wait until we see whether we would not be assuming a share of New Hampshire's large debt. By such arguments, and by pledges gained from members before the Assembly met, the vote was determined, and the sixteen towns found themselves excluded by the vote of some of their own friends.

Ira Allen was appointed to go to Exeter and attend the meeting of the General Assembly and explain the proceedings of the Vermont Assembly, which then adjourned to meet in Bennington the following February. He left for Exeter on the 28th, but before starting spent two days at Windsor, drawing a design for the State seal and employing Reuben Dean to make it. His confidence in the new State was evidently unshaken.

On November 4, soon after his arrival at Exeter, he made a full and complete statement to the Assembly; ¹ 'stated the causes that had produced said union. . . . that it would be dissolved at the adjourned term (of Assembly) in February, which appeared satisfactory to the General Court of that state.' ² On his way home, he rode ninety-six miles to Dresden (Hanover), where the Vermont public printers had their press and there he wrote and had printed an address to the inhabitants of Vermont dated November 27.³ Logically and earnestly, he stated why the union should not be sustained. His appeal was successful. The withdrawal of the provincial men of New Hampshire from the Vermont Assembly created intense feeling among the people residing along the river. This spurred those who had withdrawn to measures of a more alarming character. They immediately assembled, and on October 23, Joseph Marsh, Lieutenant-Governor of Vermont, issued a call for a convention to be held at Cornish, New Hampshire (opposite Windsor) in December, and invited all the towns in Vermont to send delegates. On December 1, was issued a pamphlet signed by Jacob Bayley, Elisha Payne, and Beza Woodward, Committee, setting forth the reasons why the Grants should be annexed to New Hampshire.⁴ Ira Allen wrote of the convention at Cornish:

When the convention met, they agreed to unite, without any regard to the boundry line established on the west bank of Connecticut River in 1764. The convention then proceeded to make the following proposals to the Government of New Hampshire, viz:

Either to agree with them on a divisional line, or to submit the dispute to Congress, or to arbitrators mutually chosen. If neither of these proposals should be accepted, and they could agree with New Hampshire upon a plan of government, they resolved further, 'we will consent that the whole of the Grants connect with New Hampshire, and become with them one entire state' . . . Until one of these proposals should be complied with, they resolved to trust in Providence, and defend themselves. There were but eight towns from Vermont which were represented in this convention, and some of

¹ *Rural Magazine*. Also Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 1, p. 427.

² Allen's *History of Vermont* (London, 1798), p. 116.

³ Original in Phelps Collection, Brooks Library, Brattleborough; University of Vermont, photostat copy; also Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 5, p. 540.

⁴ *Ibid.*, vol. 5, p. 525.

them declined to act in making any overtures to New Hampshire to extend their jurisdiction over the State of Vermont. But the proceedings of the convention served to discover to the whole body of the people what had been the views of the leading men, in proposing the union of the sixteen towns from New Hampshire.

It was now manifest that their whole aim had been to form a government, the center and seat of which should be upon Connecticut River. This would be effected either by connecting a considerable part of New Hampshire with Vermont, or by breaking up the government of Vermont, and connecting the whole of it with New Hampshire; the one or the other of these measures they were earnest to effect, and either of them would probably have formed a state, the metropolis of which must have been upon the river which divides the two states.²

Bayley and others continued their efforts to annex Vermont to New Hampshire, but without avail. Thus the political offensive of New Hampshire was repelled and the year closed with Vermont organized as a State, and in a position to ask admission to the United States.

² Allen's *History of Vermont* (London, 1798), p. 117.

CHAPTER V

BUILDING THE STATE

1779

THE year 1779 was destined to be most critical for the new State. After surviving the dangers of 1777, and checkmating the nearly successful attempt of New Hampshire to extend her authority over the Grants, Vermont now faced even more perilous days. The year opened with British raids in the northern part of the State. Men and cattle were seized and carried to Canada. The Continental Congress would give no aid; Governor Clinton of New York, himself interested in Vermont lands, far from offering assistance, advocated force against the Vermonters.¹

Tories were a constant menace. Even within the Allen family this danger arose. On January 9, Ethan Allen, who was living in Arlington, denounced his brother Levi as a Tory and petitioned the Court of Confiscation to seize his property. 'The said Levi has been detected in endeavoring to supply the enemy on Long Island and in attempting to circulate counterfeit Continental currency, and is guilty of holding treasonable correspondence with the enemy, under cover of doing favours to me, when a prisoner at New York and Long Island.'²

Levi's high regard for his brother shown three years previously seems genuine enough, as a letter written from Salisbury, Connecticut, to General George Washington, January 29, 1776, at the time Ethan was in prison in England, testified:

I have thought some of going to England incognito, . . . Would Washington advance any money . . . You may not think I could do anything, raise a mob in London or bribe jailor, or get in his servile employ. Can raise £100. Shall regard spending that no more than one copper. Ethan was not only a brother but a real friend that sticketh closer than a brother. Have two brothers in the Continental Army, one a Capt. [Heman] the other a Lieut., [Ira] the latter with the army before Quebec. We look up to your excellency as our political father.³

¹ *William Smith Papers*, vol. 3, January 19, 1779, New York Public Library.

² *Vermont State Papers* (Slade), p. 563.

³ *Stevens Papers*, vol. 2, p. 188. In office of Secretary of State, Vermont.

A copy of amusing 'doggerel' verses, attributed to Levi when he was smarting under the loss of his property, which he charged to Ira, although Ethan made the complaint, reveals that they regarded him as a great rogue, for which Levi took his revenge by counting Ira as the greatest rogue of the three.

THE THREE BROTHERS

Ethan — Old Ethan once said over a full bowl of grog,
Though I believe not in Jesus, I hold to a God;
There is also a Devil — you will see him some day
In a whirlwind of fire take Levi away.

Ira — Says Ira to Ethan it plain doth appear
That you are inclined to banter and jeer;
I think for myself and I freely declare
Our Levi's too stout for the prince of the air;
If ever you see them engaged in affray,
'Tis our Levi who'll take the Devil away.

Levi — Says Levi, your speeches make it perfectly clear
That you both seem enclined to banter and jeer;
Though through all the world my name stands enrolled
For tricks sly and crafty, ingenious and bold,
There is one consolation which none can deny
That there's one greater rogue in this world than I.

Ethan and Ira — 'Who's that?' they both cry with equal surprise.

Levi — 'Tis Ira! 'tis Ira! I yield him the prize.'

Ira Allen and his associates realized that, if the Union with the New Hampshire towns was not fully dissolved at the coming February session, they would at least lose the support of their New England friends who were members of the Continental Congress. He wrote a pamphlet of forty-five pages which he entitled 'A Vindication of the Conduct of the General Assembly of the State of Vermont.' It was dated 'Arlington, 9th Jan. 1779,' and printed by Alden Spooner at Dresden. Of this four hundred and fifty copies were struck off and circulated throughout the State. The argument was in Allen's forceful style. It reviewed the application of the New Hampshire towns for admission to Vermont and proved the falsity of the representations that had induced Vermont to admit them.

Who is young *Vermont*, that they should on a false and ex-parte representation, go on headlong to break in upon the Articles of Confederation of the United States, that have humbled the haughty pride of Great Britain? Surely these are and must be viewed by every reasonable person very weighty reasons in favor of the conduct of the Assembly.

Is it not well known, and ought it not to be greatly acknowledged by every subject of this state, that *New Hampshire* by their timely assistance in sending their Hero general *Stark* with orders to act in conjunction with our people, and at his own option to put himself and men under the command of general *Schuyler* (who is a known enemy to this state) or not; and by wise cooperation with the militia of this State, saved it from impending ruin at the time when General *Burgoyne* made such hasty strides into the country? Would it not be the highest ingratitude to thus requite *New Hampshire* for their signal services, by taking from them (against their consent) so valuable a territory, provided it was even in the power of this State?

To strengthen it Ethan wrote and had printed on three pages at the end of the pamphlet a letter addressed 'To the Inhabitants of the State of Vermont.' The effectiveness of Ira Allen's efforts culminated in the February session of the Vermont Assembly which met at Bennington on the 11th. For six days previous to its meeting he was engaged in preparing acts and resolutions ¹ for the coming session. On the 12th he made a report of his mission of the previous October to New Hampshire, where he had promised that the Assembly would vote to dissolve the union with the sixteen towns of that State. After his address the union was dissolved by a large majority. Ethan Allen, Jonas Fay, and Paul Spooner were then appointed agents to go to Congress whenever it was deemed necessary. On the 20th the Assembly voted to accept the seal for the new State 'provided by the Hon. Ira Allen, Esq.' Four days later the Legislature passed the following resolution: 'All persons found in the state after May 1st that were banished from the state last June unless they get a pardon . . . from the Council will be whipt.' An act was also passed allowing a lottery for the benefit of the State; the first drawing to be for prizes amounting to \$100,000, the State to get fifteen per cent, or \$15,000, for the defense of the State. The act provided for a second lottery for the same amount; this was never held, however. The Assembly was in session only fourteen days, but it passed acts that occupy one hundred and

¹ *Vermont (Force Transcripts)*, p. 184. Library of Congress.

ten pages of the printed laws of that session. The Governor and Council were authorized to make such changes in the laws passed as seemed, by them, desirable and 'have same printed.' The Governor was 'directed' to issue his proclamation to be sent out with the laws, 'directing all persons in office, civil and military, and others to give due attention and pay all proper obedience thereto.' ¹

Two letters signed by Thomas Chittenden, but suggestive of the style of Ira Allen, portray the critical conditions of those days in 1779. The first, dated March 6, and conveyed by Joseph Fay, appealed for aid to General Washington,² reminding him that repeated alarms had prevented sowing and reaping, so that it was difficult to supply the militia with food. The second made a similar appeal to General James Clinton at Albany.³ These letters brought no assistance.

In all the important negotiations instigated and undertaken by Ira Allen, he always assumed the rôle merely of an agent acting under instructions. He had been appointed by the last Assembly to represent Vermont before the Assembly of New Hampshire and given full political power to arrange matters with that State. When he left New Hampshire the previous November, he brought back a letter signed by President Weare to Governor Chittenden. The reply, dated March 10, and probably written by Allen but signed by the Governor, closed with the words, 'the bearer Ira Allen, Esq. who is appointed to communicate this, will be able to give any further intelligence in the matter.' This gave Allen the official standing he wanted, but did not disclose his full powers. Before he set out on this mission, however, the Board of War met at Thomas Chittenden's house in Arlington on March 11. They established the frontier for the militia to hold at the north line of Castleton, the west and north line of Pittsford, to the foot of the Green Mountains.⁴ Allen worked actively with the Board both days of their meeting.

The fact that the letters to Washington and others were written and the above important business transacted while

¹ Vermont, *Assembly Journal*, February, 1779.

² *Washington Papers*, Library of Congress; also Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 1, p. 292.

³ Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 1, p. 293.

⁴ *Ibid.*, p. 295.

Allen was at the Governor's house from March 5 to March 12, and that little was done after his departure for New Hampshire, is convincing though silent evidence that he was the moving spirit. Again at the meeting of April 29 no important action was taken, Allen being then employed 'signing lottery tickets [as Treasurer] and making necessary writings.' ¹

While on his mission to New Hampshire, Allen chanced upon information of importance to Vermont. A conversation, overheard in an Exeter coffee house, disclosed an 'intention of some of the members of the Assembly to extend jurisdiction over the territory of Vermont, under the pretence of opposing the claim of New York and the befriending the new state in Congress.' The member from Portsmouth observed that 'as the seat of government had been removed from Portsmouth to Exeter, and would soon be removed to Concord, the eastern members ought to contrive to sell the seat of government to the highest bidder, and so let it go to Connecticut River; and as Governor Wentworth and his Council had made fortunes by granting lands, we may do the like by extending our jurisdiction.' ² Ira Allen said nothing to betray his knowledge of the hopes of New Hampshire, but returned home and reported what he had heard to the Council. While at Exeter he wrote and published a hand bill 'in compliment to General Bayley,' ³ who with Phelps was at Exeter trying to further the annexation of Vermont to New Hampshire. Allen returned by the way of Dresden 'to inspect the printing of the laws.' ⁴

This was a fatiguing journey on horseback in March, from Bennington to Exeter, to Portsmouth and back by way of Dresden [Hanover] through a wilderness. He was gone forty-three days, and spent for expenses and printing £235-0-0.

To comprehend better the perilous position of Vermont at this time, and the necessity of the drastic action taken by the leaders, which is about to be related, past conditions must be recalled. Bennington County originally comprised that part of the State west of the central range of mountains and east of a line twenty miles west of the Hudson River. When

¹ Vermont (*Force Transcripts*), pp. 185-86, Library of Congress.

² Ira Allen's *History of Vermont* (London, 1798), p. 119; also *Weare Papers*, vol. 6, p. 14, New Hampshire Historical Society.

³ Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 1, p. 432.

⁴ Vermont (*Force Transcripts*), p. 85, Library of Congress.

New York claimed Vermont under the King's order of July, 1764, she, at first, attempted to take the land comprising Bennington County. The Green Mountain Boys under Ethan Allen from 1770 to 1775 prevented this; New York had sent some of her ablest men to the territory east of the central range and west of the Connecticut River, and there had organized Cumberland County and appointed judges and civil officers, supposing that with the control of that part of the State, then more populous than Bennington County, she could eventually force the settlers in Bennington County to acknowledge her jurisdiction. Governor Clinton of New York had given a commission to Colonel Eleazer Patterson, who claimed at this time to have five hundred men under his command in Cumberland County. On May 5, 1779, Patterson wrote to Clinton for directions. Clinton advised 'firmness and prudence,' but not to acknowledge the authority of Vermont. He assured Patterson that, if Vermont attempted to 'reduce the Yorkist settlers by force of arms,' he would call out the militia.¹ Patterson by force interfered with an officer of Vermont in the discharge of his duty. The dispute was over a trivial matter, but the authorities of New York intended this to be a test case to decide the fate of Vermont. The leaders in Vermont recognized that, if Patterson's force could not be subdued, their authority in eastern Vermont was at an end.

Paying due heed to the assurance of Ethan Allen that if he could get his old Green Mountain Boys together he would soon restore order, Governor Chittenden ordered him to take one hundred able-bodied men and march into Cumberland County. Ethan at once mounted his horse and rode through Bennington County, inviting those of his old band, who still resided there, to join him. They did so with enthusiasm. This was the last occasion on which that famous body, the original Green Mountain Boys, ever turned out. Ira Allen also accompanied the expedition. It was a delicate situation that required all Ethan's courage and Ira's diplomacy. Patterson and forty-three others were arrested, on warrants signed by Ira Allen. Alarmed with these prospects, Governor Clinton wrote to Congress, May 18, 'that matters in that quarter [Vermont] are fast approaching to a very serious crisis, which nothing but the immediate interposition of Congress can pos-

¹ *Clinton Papers*, letter to S. Minot, May 14, 1779, New York State Library.

sibly prevent.' ¹ He also wrote New York's delegates in Congress that he should order one thousand of the militia to march to Brattleborough unless Congress interposed.² Eleazer Patterson and thirty-five others, some of them prominent citizens, were confined in the jail, at Westminster, where four years earlier the Tories, led by William Patterson, had shot and killed William French. The friends of the prisoners endeavored to have the New Hampshire militia rescue the imprisoned men. Both the prisoners and their friends were much disturbed. Doubtless they reflected uncomfortably on the Vermont law which authorized a punishment of '*forty stripes save one*' for opposers of the laws of Vermont. Ira Allen, however, informed the commander of the New Hampshire militia that there was no intention of severity, 'yet the authority of the state must be supported. We . . . hope to make them our friends.'

The Supreme Court, Moses Robinson being Chief Judge, was convened in Westminster, May 26. Stephen R. Bradley was appointed acting clerk; he and Noah Smith were 'appointed attornies at law, sworn and licensed to plead at the bar within this state.' Smith represented the State and Bradley the prisoners. This seems to have been Bradley's first appearance in Vermont. The prisoners were tried before this court, after they had acknowledged its jurisdiction.

They were fined various small sums and ordered to pay the costs of prosecution, taxed at £1477-18-0.³ On June 4 a proclamation was issued pardoning all those persons who since January, 1777, had committed any 'public offences, crimes and misdemeanors . . . within the limits of the same, against the honour and dignity of the freemen thereof, remitting penalties.' 'This lenient measure established the power and laws of Vermont in the hearts of the people.'⁴ Allen spent twenty-five days in Cumberland County arranging these matters, and then hurried to Windsor to attend the meeting of the Assembly, which met there June 2. Except as their names are mentioned in the proceedings, there is no record of

¹ *Documentary History of New York*, vol. 4, p. 964.

² Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. I, p. 520.

³ Broadside in the Library Company of Philadelphia; also in Wilbur Photostats, University of Vermont.

⁴ Allen's *History of Vermont*, p. 129.

those present or their number. The Assembly approved of the acts of the Board of War and gave the Governor and any four members of Council all the powers that had hitherto been given to the Court of Confiscation. Ira Allen made report of his mission to New Hampshire, and again was unanimously chosen by ballot 'an agent to transact the affairs of this state at the Council and general Assembly of the State of New Hampshire.' Ethan Allen by ballot was elected brigadier general commanding the militia of the State.

The great influence of Ira Allen as a member of the Council and Board of War was supplemented by his powers as Treasurer. As a Surveyor-General was necessary, he was elected to that important office. This gave him complete control of several million acres, and made him the most powerful man in the State. He was now in a position to reward those who were loyal to him, both at home and abroad. The office of Surveyor-General of a new State was considered so important that 'after [Benning] Wentworth was quietly seated in the chair of Government [as Governor of New Hampshire] an opportunity presented to advance his interest still farther. For the sum of two thousand pounds sterling, Dunbar [Surveyor-General] was prevailed on to resign the surveyorship of the woods, and Thomlinson [New Hampshire's agent in London] negotiated an appointment in favor of Wentworth.' The salary was £800, out of which he had to pay four deputies. Wentworth had a claim against the Crown of Spain for \$56,000 for lumber furnished. And he assigned and gave up this claim in addition to the £2000 to Dunbar to obtain this office.¹ These two positions, Treasurer and Surveyor-General, gave Ira Allen almost absolute control of legislation and all political offices within the gift of the people. All new settlers had to consult him, and for some years no land was granted in the State without his approval. It was a great power, but he never abused it. He, of course, made enemies, for there were many who were endeavoring by every possible means to obtain lands in the new country without paying for them, and there were others who would pay, but wanted lands that were already promised.

The Assembly adjourned June 4. The Council remained in session eight days longer. On June 1, Congress resolved 'that

¹ Belknap's *History of New Hampshire* (Dover, 1912), vol. 2, p. 145.

a committee be appointed to repair to the inhabitants of a certain district, known by the name of the New Hampshire Grants . . . and take every prudent measure to promote an amicable settlement of all differences.' ¹ Clinton wrote Congress, June 7, informing that body of Patterson's arrest and asking that the committee appointed by them do not visit the Grants at present. He expressed astonishment and concern that 'Congress have passed over in profound silence the remonstrances on the seizure and imprisonment of the principal officers of government in the county of Cumberland by the revolvers of the state . . . and what renders their silence still more extraordinary is, that Ethan Allen, having the rank of a Colonel in the service of the United States, was a principal actor in this outrage.' ² On June 16, long after the release of the arrested officers, Congress resolved that they ought to be released at once. ³

President Weare was advised by the New Hampshire delegate to have an agent of New Hampshire at Bennington when the agents from Congress arrived. ⁴ Ellsworth and Root, of Connecticut, Edwards, of Massachusetts, and Witherspoon, of New Jersey, and Atlee, of Pennsylvania, were selected as agents, and Witherspoon and Atlee visited Bennington about June 23. They wrote a letter that day to Samuel Minott, of Cumberland County, 'to raise your full proportion of men.' ⁵ The next day they put some written questions before Governor Chittenden, which he answered. The last question was, 'Are you willing and do you think it is the minds of the people to refer the final decision of this matter at any rate to the Congress of the United States.' The answer was in the affirmative, but with many qualifications. ⁶ The two commissioners proceeded to Albany to see Governor Clinton; there they received a letter from Chittenden, dated June 27, that his officers had been obliged, agreeable to his order of the 11th instant, to seize property of those refusing military duty, and that Ellsworth

¹ Allen's *History of Vermont* (London, 1798), p. 127; Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 1, p. 251.

² *Documentary History of New York*, vol. 4, p. 971.

³ *Journals of Congress*, June 16, 1779 (L.C. ed.), vol. 14, p. 741.

⁴ *Weare Manuscripts*, '77-80, 013-24, p. 47, Massachusetts Historical Society.

⁵ *Documentary History of New York*, vol. 4, p. 977.

⁶ Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 1, p. 523; Wilbur Photostats, University of Vermont.

and Root were within a few miles of Bennington.¹ Wither-
 spoon and Atlee refused to return to Bennington, and on July
 13 reported to Congress that 'no part of the business on which
 they were sent had been effected.'² In the meantime Ethan
 Allen and Jonas Fay had gone to Philadelphia to attend Con-
 gress, and apparently only Chittenden and Joseph Fay re-
 ceived the agents from Congress in Bennington. On July 1,
 Ethan Allen and Fay in Philadelphia addressed a letter to
 Congress, asking to have Vermont admitted to the Union and
 offering to pay Vermont's share of war debts, but with diplo-
 matic wisdom they did not urge an immediate decision.³

Ira Allen on June 5 went again to the Assembly of New
 Hampshire. He 'found they were pursuing measures to extend
 their jurisdiction over Vermont, from pretended friendship,
 and to overturn the claim of New York then before Con-
 gress.'⁴ The President and several leading members of the
 Assembly promised, on obtaining control of the State, to
 petition Congress to admit Vermont to the Union, and urged
 Allen to assent to this plan. If they had succeeded, it would
 have quieted all titles, and given them control of several mil-
 lion acres of unlocated land. President Weare 'declared on
 his honour that he had no secret design of overthrowing the
 present system of government adopted in Vermont, or of
 uniting that state to New Hampshire, and called God to wit-
 ness the truth of his assertions; several members of the Coun-
 cil and Assembly then present, declared themselves in like
 manner.'⁵ Allen asked that the question might be referred to
 the next session of the Vermont Assembly, 'that the opinion
 of the Legislature of Vermont might be taken thereon.' It
 was so voted. This delay, which Allen deemed essential, was
 used to unite the people at the next election 'as well as to gain
 time to guard against the ill effects of such a claim, if extended,
 and which afterwards was accordingly done.'⁶ On July 13,
 at Dresden, on the way home, Allen wrote a strong appeal to
 the people.⁷ This he widely circulated. He also attended a
 convention then in session at Dresden. He was away fifty-
 two days on this mission.

¹ Manuscripts, Library of Congress; Wilbur Photostats, University of Vermont.

² Allen's *History of Vermont* (London, 1798), p. 130.

³ *Papers of the Continental Congress*, No. 41, 1, folio 223, Library of Congress.

⁴ Allen's *History of Vermont*, p. 120.

⁵ *Ibid.*, p. 122.

⁶ *Ibid.*, p. 123.

⁷ Appendix V.

On July 31 the Council requested Jonas Fay and Paul Spooner to go to Philadelphia to ascertain if Congress was taking any action affecting Vermont. They went, but could accomplish little. They addressed a letter to John Jay, President of Congress, August 27, announcing their departure, and, after some complimentary phrases, they closed with 'We rest assured that neither the flattery or threats of our opposers [New York] will be able to operate in favour of any resolution that may infringe on the rights of the People we have the honor to represent.' ¹

During all these months the enemies of Vermont on both sides of the Connecticut River were meeting and sending petitions to Congress. As early as April 23, a printed request and questionnaire was sent out to all the towns in Vermont by a committee from the Cornish Convention of the previous December, requesting that town meetings be held and the following question be voted on: 'Whether this town is willing that the Assembly of New Hampshire extend their Claim and Jurisdiction over the Whole of the Grants;— New Hampshire at the same Time submitting to Congress, whether a new State shall be established on the Grants.' ² The committee also requested the Town Clerk to send to Colonel Olcott at Norwich, or Bezaleel Woodward at Dresden, the number of legal votes in the town and the number attending the meeting, with the yeas and nays on the question. A petition, dated July 27, was sent to Congress praying for the annexing of Vermont to New Hampshire, signed by Joseph Marsh, Lieutenant-Governor of Vermont, and Elisha Payne, both of whom had been sent with Jonas Fay to Congress in the spring of 1778 to announce to that body the formation of the State of Vermont.

Four different claims were now before Congress, to the same tract of Country; and the controversy had become so intricate and warm, that very serious consequences were justly to be feared. It became necessary for Congress to interpose; and as all parties had appealed to that body, they could no longer avoid coming to some resolutions upon a matter which seemed essentially to concern the Union of the States. ³

¹ *Papers of the Continental Congress*, No. 40, 1, folio 263, Library of Congress.

² Wilbur Photostats, University of Vermont; also Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 1, p. 436.

³ Allen's *History of Vermont*, p. 130.

Resolutions passed by the Continental Congress on September 24, and October 2, 1779, show the difficulties of Vermont's situation:

IN CONGRESS, *Friday, September 24, 1779*

Congress took into consideration resolutions reported from the committee of the whole, which were agreed to as follows:

1. Whereas, on the first day of June last, Congress, by a certain resolution reciting 'that whereas divers applications had been made to Congress on the part of the state of New York, and of the state of New Hampshire, relative to disturbances and animosities among inhabitants of a certain district known by the name of the New Hampshire Grants,' praying that their interference for quieting thereof, did resolve, 'that a committee be appointed to repair to the New Hampshire Grants, and enquire into the reasons why they refuse to continue citizens of the respective states which heretofore exercised jurisdiction over the said district; for that, as Congress are in duty bound, on the one hand, to preserve inviolate the rights of the several states, so, on the other, they will always be careful to provide that the justice due to the states does not interfere with the justice which may be due to individuals; that the said committee confer with the said inhabitants, and that they take every prudent measure to promote an amicable settlement of all differences, and prevent divisions and animosities so prejudicial to the United States:' and did further resolve, 'that the farther consideration of this subject be postponed until the said committee shall have made report.'

2. And whereas it so happened that a majority of the committee appointed in pursuance of the aforementioned resolution, did not meet in the said district, and therefore have never executed the business committed to them or made regular report thereupon to Congress:

Ordered, That the said committee be discharged.

3. And whereas the animosities aforesaid have lately proceeded so far, and risen so high as to endanger the internal peace of the United States, which renders it indispensably necessary for Congress, to interpose for the restoration of quiet and good order:

4. And whereas one of the great objects of the union of the United States of America is the mutual protection and security of their respective rights:

5. And whereas it is of the last importance to the said union, that all causes of jealousy and discontent between the said states should be removed; and therefore that their several boundaries and jurisdictions be ascertained and settled:

6. And whereas disputes at present subsist between the states of New Hampshire, Massachusetts-Bay and New York, on the one part, and the people of a district of country called New Hampshire Grants, on the other, which people deny the jurisdiction of each of the said states over the said district, and each of the said states

claim the said district against each other as well as against the said people, as appertaining in the whole or in part to them respectively:

7. Resolved unanimously, That it be, and hereby is most earnestly recommended to the states of New Hampshire, Massachusetts-Bay and New York, forthwith to pass laws, expressly authorizing Congress to hear and determine all differences between them relative to their respective boundaries, in the mode prescribed by the articles of confederation, so that Congress may proceed thereon by the first day of February next at the farthest:

8. And further, that the said States of New Hampshire, Massachusetts-Bay and New York, do, by express laws for the purpose, refer to the decision of Congress, all differences or disputes relative to jurisdiction, which they may respectively have with the people of the district aforesaid, so that Congress may proceed thereon on the first day of February next.

9. [And also to authorize Congress to proceed to hear and determine all disputes subsisting between the grantees of the several states aforesaid, with one another or with either of the said states, respecting title to lands lying in the said district, to be heard and determined in the mode prescribed for such cases by the articles of confederation aforesaid:] and further, to provide that no advantage be taken of the nonperformance of the conditions of any of the grants of the said lands, but that further reasonable time be allowed for fulfilling such conditions:

10. Resolved unanimously, That Congress will, and hereby do, pledge their faith to carry into execution and support their decisions and determinations in the premises, in favour of whichever of the parties the same may be, to the end, that permanent concord and harmony may be established between them, and all cause of uneasiness removed.

11. Resolved unanimously, That Congress will, on the said first day of February next, proceed, without delay, to hear and examine into the disputes and differences relative to jurisdiction aforesaid, between the said three states respectively, or such of them as shall pass the laws before mentioned on the one part, and the people of the district aforesaid who claim to be a separate jurisdiction on the other; and after a full and fair hearing, will decide and determine the same according to equity; and that neither of the said states shall vote on any question relative to the decision thereof. And Congress do hereby pledge their faith to execute and support their decisions and determinations in the premises.

And whereas it is essential to the interest of the whole confederacy, that all intestine dissensions be carefully avoided, and domestic peace and good order maintained:

12. Resolved unanimously, That it is the duty of the people of the district aforesaid, who deny the jurisdiction of all the aforementioned states, to abstain in the meantime from exercising any power over any of the inhabitants of the said district who profess themselves to be citizens of, or to owe allegiance to, any or either of the said states;

but that none of the towns, either on the east or west side of Connecticut river, be considered as included within the said district, but such as have heretofore actually joined in denying the jurisdiction of either of the said states, and have assumed a separate jurisdiction which they call the state of Vermont. And further, that in the opinion of Congress, the said states afore-named ought, in the meantime, to suspend executing their laws over any of the inhabitants of the said district, except such of them as shall profess allegiance to, and confess the jurisdiction of, the same respectively. And further, that Congress will consider any violences committed against the tenor, true intent and meaning of this resolution as a breach of the peace of the confederacy, which they are determined to keep and maintain. And to the end, that all such violences and breaches of the public peace may be the better avoided in the said district, it is hereby recommended to all the inhabitants thereof, to cultivate harmony and concord among themselves, to forbear vexing each other at law or otherwise, and to give as little occasion as possible to the interposition of magistrates.

13. Resolved unanimously, That in the opinion of Congress, no unappropriated lands or estates which are or may be adjudged forfeited or confiscated, lying in the said district, ought, until the final decision of Congress in the premises, to be granted or sold.

Ordered, That copies of the foregoing resolutions be sent by express to the states of New York, New Hampshire and Massachusetts-Bay, and to the people of the district aforesaid, and that they be respectively desired to lose no time in appointing their agent or agents and otherwise preparing for the hearings aforesaid.

The aforesaid resolutions being read over, and a question taken to agree to the whole,

Resolved, unanimously in the affirmative.

IN CONGRESS, *Saturday, October 2, 1779*

On motion of Mr. Gerry, seconded by Mr. Peabody, Congress came to the following resolution:

Whereas in the first resolution of Congress of the 24th of September last, relative to a district of country called 'New Hampshire Grants,' is the following clause, viz. [Here follows that part of clause 9 on page preceding which is enclosed in brackets:] and whereas no provision is made in the said articles of confederation for hearing and determining disputes between any State and the grantees of any other State:

Resolved unanimously, That the clause above recited be repealed.

Resolved unanimously, That it be, and hereby is recommended to the states of New Hampshire, Massachusetts-Bay and New York, to authorize Congress to proceed to hear and determine all disputes subsisting between the grantees of the several states aforesaid, with one another, or with either of the said states, respecting title to lands lying in the said district, to be heard and determined by 'com-

missioners or judges,' to be appointed in the mode prescribed by the 9th article of the confederation aforesaid.

Ordered, That a copy of the preceding resolves be transmitted to the states of New Hampshire, Massachusetts-Bay and New York, and also to the inhabitants of the New Hampshire Grants.

John Jay, Chief Justice of New York, who was sent on a special mission with full power to manage New York's claim to Vermont, wrote to Governor Clinton explaining the foregoing resolutions:

DEAR SIR, — Whether the resolutions of Congress of the 24th inst., providing for the settlement of all disputes between New York and her neighbors, as well as revolted citizens, will please my constituents as much as they do me is uncertain. Nor am I convinced of the prudence of committing to paper all the reasons which induce me to think them (all circumstances considered) perfectly right. Some of them, however, I shall communicate. My first object on coming here was to prevail upon Congress to interpose though in the smallest degree; well knowing, that if they once interfered ever so little, they might with more ease be led to a further and more effectual interposition.

Soon after my arrival, I found the following objections to an interference with Vermont generally prevailing.

1st. That Congress being instituted for the sole purpose of opposing the tyranny of Britain, and afterward of establishing our independence, had no authority to interfere in the particular quarrels of any State. Hence all their former resolutions on the subject were merely negative. 2nd. That the Confederation had not yet taken place, and that the business should be postponed till all the States had acceded; an event then daily expected. 3d. That it was an improper season to interfere, and that the attention of Congress ought not to be diverted from the general object of the war. 4th. That harsh measures against Vermont might induce them to join the enemy and increase their force. 5th. That they possessed a strong country, were numerous, warlike, and determined; and that more force would be required to reduce them, than could be spared from the general defence.

These were some of the ostensible objections. Besides which I had reason to suspect the following private ones. 1st. That divers persons of some consequence in Congress and New England expected to advance their fortunes by lands in Vermont. 2nd. That Vermont, acquiring strength by time, would become actually independent, and afterward acknowledged to be so. 3d. That being settled by New England people, and raised into consequence by New England politics, it would be a fifth New England State, and become a valuable accession of strength both in and out of Congress. 4th. That ancient animosities between New York and New England naturally inclining the former to side with the Middle and Southern

States, the less formidable she was the better, and therefore the loss or separation of that territory was rather to be wished for than opposed. These and many other considerations of the like nature induced me to postpone bringing on the matter till I could have an opportunity of preparing the way for it by acquiring a knowledge of the characters then in Congress.

It is also proper to observe that the House was for the greater part of the winter so heated by divisions on points of great general importance, that it would have been improper and improvident to have called upon them to decide on this delicate business till more temperate calmness had taken place. When these began to appear the subject was introduced, and you have had a copy of the resolutions proposed by New York on that occasion. Against them, all objections before mentioned operated, with this additional one, that it would be highly unjust and impolitic to determine against Vermont without previous inquiry into the merits of their claims, and giving them an opportunity of being heard. This objection, so far as it respected their claim to independence, was absurd though plausible; but it was not to be overcome, and though we might have carried a resolution against it by a slender majority, that majority would have consisted of southern members against a violent opposition from New England and their adherents. A resolution carried under such circumstances would rather have encouraged than disheartened Vermont, and was, therefore, ineligible.

Hence I conceived it to be expedient to promote the measure of appointing a committee of inquiry; knowing that if Congress proceeded to inquire, it would be a ground for pressing them to go further and determine; especially as I was apprized that the result of these inquiries would be in our favour.

The Committee, you know, never had a formal meeting; it nevertheless had its use. The individual reports of the members who composed it advanced our cause; and even Mr. Witherspoon, who was and is suspected by New York, made representations in our favour.

Your last resolutions were of infinite service, by evincing the moderation, justice, and liberality, and at the same time the spirit of the State. On the other hand, the law of Vermont for whipping, cropping, and branding your magistrates made an impression greatly to their disadvantage. Before these emotions should have time to subside, as well in observance of our instructions, I pressed Congress from day to day to adopt such measures as the public exigencies called for, and thereby prevent the flames of civil war from raging. It would not, I believe, have been difficult to have obtained what some among you would call very spirited and pointed resolutions, but which, in my opinion, would have been very imprudent ones; because, among other reasons they would not have been unanimous. You will find the recitals and particular resolutions numbered in the margin of the copy herewith enclosed, from 1 to 13. I shall trouble you with a few explanatory remarks on each of them, under heads numbered in like manner.

1st and 2d. These recitals were inserted to show the reason why Congress now proceed without the report of the committee, after having resolved to postpone the further consideration of the subject till their report should be made.

3d. This recital justified the facts set forth in your representations, and in case an appeal to the public should become necessary, may be used with advantage to New York.

4th. This recital destroys the doctrine that the Union (independent of the articles of confederation) had no other object than security against foreign invasions.

5th. This recital is calculated to impress the people with an opinion of the reasonableness and policy of the requisition or recommendation which follows, and therefore will the more readily induce those States to adopt the measures recommended to them.

6th. You may inquire for what reason I consented to this recital, as it puts Massachusetts and New Hampshire on a footing with New York; whereas I well knew that New York alone had a right to claim jurisdiction over Vermont. My reasons were these: Vermont extends over Connecticut River into the acknowledged jurisdiction of New Hampshire: as to Massachusetts, the recital admits only her *claims*, not her *title*; and it is as impossible to deny the existence of claims when made, as it is to prevent them. Their delegates pointedly asserted and insisted on the claim of Massachusetts; and it appeared to me expedient to provide for a speedy determination of all claims against us, however ill founded. You may further ask, Why Vermont is made a party? The reason is this: that by being allowed a hearing, the candour and moderation of Congress may be rescued from aspersions; and that those people, after having been fully heard, may have nothing to say or complain of, in case the decision of Congress be against them; of which I have no doubt.

7th. It is true, that by this resolution the merits of former settlements with these States will be again the subject of inquiry, discussion, and decision; and therefore it may at first sight appear improper; but these settlements will still remain strong evidence of our rights, however objectionable they may be represented to be by those States. Nor will Congress be easily prevailed upon to annul them, because in that case all their boundaries would be afloat. Besides, in my opinion, it is much better for New York to gain a permanent peace with their neighbours by submitting to these inconveniences, than by an impolitic adherence to strict rights, and a rigid observance of the dictates of dignity and pride, remain exposed to perpetual dissensions and encroachment. Peace and established boundaries, under our circumstances, are, I think, almost inestimable.

8th. The reason of this is assigned in the last sentence under the 6th head.

9th. For the same purpose of preserving the appearance of equality in claims, whatever difference there may be in titles, the three States are mentioned in this recommendation. The object of it is a settlement of all disputes respecting interfering grants, in case Ver-

mont should be abolished, and that district in part, or in the whole, adjudged to either of the three states.

10th. I am sure you will admit my prudence in giving your voice for this resolution.

11th. As it was not absolutely certain that New Hampshire and Massachusetts would pass the laws in question, and as I was sure that New York would it appeared to me highly expedient to provide, by this resolution, that the dispute between New York and Vermont should be determined, whether the other two States came in or no and, lest the former guarantee contained in the 10th resolution might be construed to be contingent, and to depend on the event of all the three States adopting the measures recommended to them, it is here repeated. You will observe that neither of the three States are to vote on the decision.

12th. On the plan of hearing Vermont, this resolution, however inconvenient, became indispensable. Care, however, has been taken in it to exempt all persons from their jurisdiction who profess allegiance to either of the three states. But you will say, Why to the *three* States? Why not to New York only; from whom they revolted, and under whose actual jurisdiction they last were? Because it would have clashed with the equality of claims before mentioned, and the least opposition to which would have prevented these resolutions from being unanimous; a circumstance in my opinion, infinitely more valuable than the preservation of useless etiquette. And, further, because the district is here so described as to extend over the river and affect New Hampshire. In a word, the necessity of the resolution was so obvious that there was no avoiding it. These inconveniences will be temporary, and, if the principles laid down in it are observed, will not be very great; especially as Congress have determined a violation of it to be a breach of the peace of the confederacy, and have declared their resolution to maintain it.

13th. This resolution needs no comment, the policy and justice of it being extremely evident. Anxious to avoid a moment's delay in sending you these resolutions I have not time by this opportunity of adding anything further than that upon this occasion I have acted according to the best of my judgment, after having maturely considered and well weighed the force and tendency of every consideration and circumstance affecting the business in question. When I first received my special commission, I did not apprehend that this matter was in a more particular manner confided to me than to my colleagues, though some of them considered it in that light. The commission vested me with no further power than what any other of your delegates possessed; nor was any matter given more particularly in charge to me than to the others by the Legislature. Their late instructions, however, speak a different language. I am satisfied to be viewed in that light, that is, to be the responsible man; and, provided the measures I adopt are not thwarted, I am confident that I shall be able to bring all these matters to a happy conclusion. I hope, however, that this will not be considered as a hint for my

being continued in the delegation; I assure you, nothing but an adherence to the resolutions and principles of action I adopted and professed at the commencement of the war would induce me to remain here at the expense of health as well as property; for though I shall always be ready to serve my country when called upon, I shall always be happy to find it consistent with my duty to remain a private citizen.

JOHN JAY¹

As Mr. Jay was willing to be responsible for these resolutions, there can be no doubt that he shaped, if he did not write, them. They were drawn to bind Congress to a decision in favor of New York. Vermont as a State was ignored, and so far the question of her independence was decided against her in advance. New York's problem was whether she was to have the whole of Vermont, or whether it should be divided between her and New Hampshire. New York relied on Congress to establish her eastern boundary at the Connecticut River. If the decision was adverse to Vermont, she would have to submit to New York or rebel against the Confederacy. If Vermont refused to appear, she would lose the decision, and, if she appeared, she would have to abide by an adverse decision. Under the circumstances it was not strange if many favored submission.

The shrewd Tory, William Smith, writing in his diary on December 18, comments on the resolutions of Congress:

If I mistake not, these resolves will create fresh animosities; It cuts off the hope of all who sought a separate government from motive of ambition. It touches the interest of those who have lent money to Vermont as a state. It affords the loyalists a cloak for activity and penitents have a pretence to change their conduct. It exposes all the inhabitants to the dread of being contributors to taxes in one or other of the states.

These views of this eminent man were exactly those held by Ira Allen, which he used so effectively in his arguments to the people. 'Vermont was now, literally, struggling for existence, a struggle requiring the exercise of no ordinary wisdom and firmness.'²

All through the summer the Board of War of Vermont were busy gathering men and supplies to guard the northern front-

¹ Jay, *Life and Writings of John Jay* (New York, 1833), vol. I, pp. 88-94.

² Vermont, *State Papers* (Slade), p. 115.

iers of the State. Belknap, in 1791, writing of conditions in Vermont in 1779, stated: 'It is not easy to develop the intrigues of the several parties, or to clear their transactions from the obscurity which surrounds them.'¹ Ira Allen wrote in his history:

These resolves of Congress arrived in Vermont a little time before the session of the General Assembly in October 1779. The influence of Congress at that time was great, being considered as the pillar of liberty; and their advice was deemed a law; the friends of New York exulted, and doubled their exertions against Vermont. When the Assembly convened, nine tenths were for suspending the sale of confiscated property, and the granting of lands till after the 1st of February, the time assigned by Congress to examine into the disputes and differences, but a few saw the design of the New York junto was to cut off the resources, and to prevent migrations of persons from other states, who became internal friends. . . . After fourteen days consideration, the Governor, Council, and General Assembly, in Grand Committee, recommended to the Legislature to grant the whole of their unlocated lands and sell their confiscated estates, . . . which recommendation was approved by unanimous resolves, . . . and copies thereof sent to Congress.²

It is not difficult to believe that Ira Allen more than any one else brought about this change of sentiment. William Smith wrote in his diary on October 4:

Preparations, tis said, are making at Kingston, according to George Clinton's speech of 24, September, . . . to send a military force into the New Hampshire Grants to extend the republican power there. A messenger, one Stevens, from that country asserts that they will declare for the Crown if they can have confirmation of their titles.

The existence of this idea may have been the reason that the British later tried to gain the support of the Vermonters.

President Weare of New Hampshire wrote Colonel Peabody, delegate to Congress, for advice.³ Peabody had written to him on October 26, 'the affair of Vermont is a matter of serious consideration . . . that District will finally be adjudged either to New Hampshire or New York and not to be a separate jurisdiction.' He adds that he supposes a copy of a proposed act has been received: 'It was *hatched* up by New York

¹ Belknap's *History of New Hampshire* (Dover, 1812), vol. 2, p. 338.

² Allen's *History of Vermont* (London, 1798), p. 133.

³ *Weare Papers*, New Hampshire Historical Society, vol. 7, p. 71.

and consented to by some who are better acquainted with New York *air* and secret designs than I have the honor to boast of.' ¹ And Ira Allen thought it wise to dispatch his clerk, John Knickerbacor, to Poughkeepsie, where the New York Legislature was in session, to ascertain what that body was doing.

The Vermont Assembly met October 14. The votes of the freemen were counted and Thomas Chittenden was again elected Governor, Benjamin Carpenter, Lieutenant-Governor, and Ira Allen, Treasurer, and a member of the Council. A Board of War was appointed, to consist of nine men, five of whom should be a quorum, 'to conduct the political affairs of the present war.' From this phraseology, it may be surmised that even then the originator of the resolution contemplated the policy which was adopted a year later, and successfully carried out in the Haldimand correspondence.

The Assembly resolved that no lands would be granted 'until a plan thereof be laid before the house by the Surveyor General.' ² Ira Allen was chosen agent to visit the Assemblies of New Jersey, Pennsylvania, Delaware, and Maryland, and to be at Congress by February 1. Ethan Allen was appointed agent to go to Massachusetts, and a committee of five, consisting of Ethan Allen, Jonas Fay, Paul Spooner, Stephen R. Bradley, and Moses Robinson, to go to Congress. At this session the 'Two Heroes' (two islands in Lake Champlain) were granted to Ethan Allen, Jonas Fay, and others for £10,000. Tradition has it that they were named after Ethan and Ira Allen. A singular provision in this grant was that 'Each grantee to enter or provide settlers . . . within 3 years after the conclusion of present war with Great Britain, or the now province of Quebec shall be united with the other independent states of America.'

Ira Allen first displayed his interest in the advancement of education when, in establishing a form for a charter, he influenced the Legislature to provide that out of each six-mile-square township one right was allotted for the use of a seminary or college within the State, one right for the use of the first settled minister and one right for his support, one right for use and support of county grammar schools, and one right for

¹ *Weare Papers*, 1777-80, Massachusetts Historical Society, p. 125.

² Manuscript Journal, 1779. Office of the Secretary of State of Vermont.

the use and support of an English school or schools in the township forever.

Ira Allen was chosen trustee of the Loan Office. He was also empowered as Surveyor-General to advertise for 'all charters of lands that have been granted by Mass. Bay, New Hampshire or New York to be recorded in his office at the expense of the state.' Those who did not present charters within the time specified could not get them recorded and would thus be barred from claiming the lands thereafter. In granting lands, it was provided that, if the grantees did not pay, the Council could reassign the grant to others. The Assembly adjourned on October 27 until March, 1780.

When one surveys the long list of business transacted by this Legislature, in most of which appears the hand of Ira Allen, and considers his official duties — the payment of bills, making of grants, control of the Board of War — one wonders at the energy and capacity of the man. Between this session of the Legislature and February 1 he visited all the States he had been appointed to visit. This alone meant a journey on horseback of over one thousand miles. Neither the Council nor Board of War transacted any important business during his absence to the southward.

During the summer and fall a young lawyer of Westminster, Stephen R. Bradley, who had been in the State only a few months, wrote what was called 'Vermont's Appeal,'¹ designed for publication by the Council. When the members of that body examined it, they found it inaccurate and not forceful. They requested Ira Allen to 'revise' it. This he did, spending twenty-eight days on this and other public writings.² On December 8, the Council voted that the 'manuscript entitled Vermont's Appeal exhibited by Stephen R. Bradley be published and promulgated to the states of America.'³ On December 15, Bradley received £522-0-0 lawful money for this purpose. Ira Allen's name should have been on the title-page of this document. It was stated at the time that of the revised version only the introductory remarks could be claimed by Bradley.⁴ The publication of this document was but an-

¹ Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 2, p. 200.

² Vermont (*Force Transcripts*), Library of Congress.

³ Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 2, p. 19.

⁴ *William Smith Papers*, vol. 6, March 6, 1780. New York Public Library.

other incident in the struggle to which Ira Allen gave his best efforts and cared not a whit for credit. It brought to a fitting close the year 1779. During the most trying months of this year the few men who were engaged in creating the State were never betrayed into a single measure evincing, in the slightest degree, a disposition to relinquish the struggle.

CHAPTER VI

VERMONT AND THE BRITISH

1780

THE year 1780 was an eventful one, both for the United States and for Vermont. Weariness and discouragement generally prevailed. Congress was incapable and torn by factions; the available resources of the country were ill managed. Soldiers, having received no pay for months, were mutinying, even in Albany. Schuyler, who had been elected delegate to Congress, found that no plan for military operations had been adopted in March, and, on the 22d of that month, he wrote General Greene, 'there never, My dear Sir, since the Commencement of the contest was an Hour in which . . . our affairs were more Critical, and perhaps our Councils were never weaker, our Exertions less, and torpor greater.' Washington himself said, 'I have almost ceased to hope.'¹ The articles of Confederation were yet inoperative, and many serious problems confronting Congress favored a postponement of the Vermont controversy.

Ira Allen began the year by turning his diplomatic talents toward influencing other States to support Vermont's plea before Congress. In New Jersey, Delaware, Maryland, and Pennsylvania he found a strong desire to use the large tracts of lands 'wrested from the King of Great Britain,' as a common source of profit. Allen promised 'that if Vermont was admitted to a seat in Congress, she would adhere to those principles, they seemed to wish to favour the interest of Vermont.'² A letter written by him to the Council of Pennsylvania³ undoubtedly contained the argument used to the other States which he visited. He arrived in Philadelphia in time to attend the Congress on February 1, the day set to consider the Vermont controversy. Jonas Fay, Moses Robinson, and Stephen R. Bradley had also arrived. On that date

¹ Washington to Joseph Reed, May 28, 1780, *Washington Papers*, Library of Congress.

² Allen's *History of Vermont* (London, 1798), p. 135.

³ *Pennsylvania Archives*, vol. 8, 1779-81, p. 88; also Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 2, p. 236.

they sent a letter to Congress,¹ accompanied by copies of 'A Vindication of the Opposition of the Inhabitants of Vermont, to the Government of New York,' 'Vermont's Appeal,' and a book containing the Constitution of Vermont and 'Code of Laws.' The 'Appeal' contained four appeals, one to the inhabitants of Vermont, one to Congress, one to the inhabitants of the United States, and one to the three claiming States. It is the clearest and strongest argument ever made on the right of Vermont to be an independent State, and could only have been written by a man familiar with every action in creating the Vermont of that period. The following clause is quoted as an example of Allen's style and for its concluding estimation of a northern key, which he used a year later.

And now diffident of our own opinion, we leave the candid world to determine, how far *New York* might have their own influence in view, by strenuously urging, and insisting, that Congress should determine such an important cause, at a period of time, when they think their state from many circumstances, is become the great key of the continent and to affront them must be very detrimental to the confederacy; but let *New York* remember, that we have a northern as well as a southern key, and are determined to maintain and support our independence and freedom, or take refuge in that blessed state; *where the small and great are, and the servant is free from his master.*²

Whether Congress was influenced by the 'Appeal' is not known. The delegates from the three claiming States were in attendance and ready to proceed. Peter Olcott and Woodward, with credentials signed by Joseph Marsh, represented the Connecticut River group and sent a letter to Congress dated February 1.³ Vermonters had been advised by Dr. Benjamin Gale, the distinguished political writer, not to submit the question of their independence to Congress⁴ and they had no idea of doing so. On February 5, Fay, Robinson, and Bradley notified Congress that they were leaving that day for home. They, with Allen, must have been assured that nothing detrimental to them would occur in Congress very soon. Nine States, exclusive of the three claiming States, whose votes it

¹ *Papers of the Continental Congress*, No. 40, I, folio 313, Library of Congress; also Wilbur Photostats, University of Vermont.

² Job III, 19.

³ Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 2, p. 242.

⁴ *Stevens Papers*, Gale to Chittenden, New York State Library.

was necessary to have for a decision, were not represented. On March 6, Smith wrote in his diary: 'I have now what I looked for, some testimonial of Vermont's unwillingness to submit their controversy to the decision of Congress. . . . A door is thus open for the [British] government to draw in that New Hampshire district.' On March 14, Samuel Livermore wrote to President Weare from Congress, 'Nothing is yet done about Vermont, but delay, . . . Massachusetts-Bay is not ready and they with Connecticut and Rhode Island I believe are all Vermonters against us, behind the curtain.' A week later, he wrote, 'Vermont business hangs by the eyelids.'¹ Nothing was done by Congress until June, but in the meantime Joseph Marsh, Olcott, and other traitors to Vermont were addressing Congress and sending in petitions. Meanwhile threatening conditions multiplied. Albany was full of loyalists only waiting until the British appeared above the Highlands to seize the Whigs. The jails were full of Tories. Philip Schuyler was in Congress, but the Tories thought he planned to play into their hands.²

On February 8, Chittenden wrote to the Continental Commissary in charge of the stores in Bennington, requesting him to send to the Vermont troops at Rutland some supplies, which were needed at once. The Commissary wrote for instructions and was informed that General Washington had approved the order of the Commissary-General, that Vermont receive no supplies of any kind out of the Continental stores at Bennington or elsewhere.³ Neither Washington nor Congress realized that Vermont won the battle of Bennington. In consequence of this order the Council, on February 29, passed an order prohibiting the transportation out of the State of wheat, flour, pork, or any other provisions. The leaders did not know what would be the outcome of all the efforts made against them, but they proposed to be ready for any emergency. About March 1, they paid out £5174-2-0 for powder obtained in Connecticut.

On March 8, the Legislature and Council met at Westminster. On March 11, the Assembly repealed the act passed October 20, 1779, 'that no petition should be considered for

¹ *Weare Papers*, 1777-1780, pp. 156-60, Massachusetts Historical Society.

² *Smith Diary*, February 3, 12, 15, 17, 1780, New York Public Library.

³ *Stevens Papers*, Cuyler to Clark, February 14, 1780, New York State Library.

granting lands . . . until approved by the Surveyor-General.' During the next few days many townships were granted. However, the survey of all grants and the approval of their location still rested with Allen. Ethan Allen was chairman of a committee that recommended the granting of six townships at this time. Ethan, though not a member, was allowed to act as one and was a dominating influence. On March 14, Ira Allen made verbal report of his mission to the Southern States. The following day, the Assembly resolved 'not to grant any more land . . . this session.' To evince Vermont's acute situation in the matter of obtaining funds and supplies, Matthew Lyon, as chairman of a committee to suggest ways and means, recommended that the Governor call on Ira Allen, Loan Trustee, to issue certificates of different denominations, and 'if the people will not take them, or the confiscated and vacant lands cannot be sold, to confiscate wheat.' This report was accepted, but no attempt was made to carry out such a move in the face of the undoubted violence that would have resulted.

At this point there enters upon the political scene Isaac Tichenor, the only man in Vermont who seems to have been a settled enemy of Ira Allen. In New Jersey, from whence he came, he had earned the soubriquet of 'Jersey Slick.' He was now placed on a committee to 'settle' with the Treasurer. Through his antagonism to Allen the committee reported that 'they were unable to make a report' and were dissolved. Later he showed his enmity in many instances. About this time Tichenor and General Jacob Bayley were summoned to appear before a court martial at Springfield, Massachusetts, April 15, by General Washington under charges of irregularities in buying supplies for the Continental army.¹

The Legislature dealt with a number of problems. A bill was ordered to be prepared to fine members of the Assembly and Council who did not appear. This suggests that among some still prevailed the fear of future Tory or British retaliation on those who supported Vermont, as the outcome of the war was yet doubtful and the Tories were numerous and active. A 'plan,' or map, of the State was ordered made. A vote of thanks was passed recognizing the service of Ira Allen and his associates 'done this state at Congress and elsewhere.' On March 16, the Assembly adjourned. This was the smallest

Washington Papers, 1780, March 9, Library of Congress.

Assembly ever held in Vermont and, though there is no record of the members present, only thirty-seven votes are recorded on the acts passed.

Ira Allen remained in Westminster four days after adjournment, going over the petitions for lands with the petitioners. From his home he was obliged to go to Albany to confer with the Commander-in-Chief there 'respecting provisions and guards for the frontiers.'¹ On his return he devoted every moment to giving directions for purchasing or seizing provisions for the State troops. He also mentions that, at this time, he wrote a proclamation for a fast. Nothing was left undone that would bind the people to the State at this period when only a few were fighting on, in what seemed like a hopeless contest, with most of Congress against them. On April 18, Allen went to Hartford, Connecticut, to arrange for the printing of the laws and the lottery tickets for the second drawing. It was in these days that he added to his list of friends Roger Sherman, who later did much to help him in Congress. Home again early in May, he started off on a twenty-day trip to the east side of the State to procure old charters and give directions to the surveyors he had sent there to run the lines. He was actively engaged on the west side with surveying matters until June 26, when he started again for Hartford to buy powder and other supplies for the State. Lands were surveyed and grants made to influential men in other States in order to attach their interests to Vermont. Governor Chittenden and Joseph Fay looked after details while Ira Allen was absent, but no important measures were undertaken.

On June 2, Congress resolved that 'the proceedings of the people of the New Hampshire Grants were highly unwarrantable, and subversive of the peace and welfare of the United States; and that they be strictly required to forbear from any acts of authority, civil or military, over those of the people who professed allegiance to other states'; and on June 9, they resolved to defer the matter to the second Tuesday in September.² Members of Congress could not arrive at a decision on the Vermont controversy,³ although New York and New Hampshire each strove to secure favorable action.

¹ Vermont (*Force Transcripts*), p. 187, Library of Congress.

² Allen's *History of Vermont* (London, 1798), p. 138; *Journals of Congress*, June 9, 1780.

³ *Weare Papers*, vol. 8, p. 44, New Hampshire Historical Society.

Early in July, it was reported in New York that Ethan Allen had called upon Sir Henry Clinton, the British commander in New York.¹ Washington heard of this and requested General Schuyler to investigate, and if the report were found true to arrest Allen at once.² Cuyler, Commissary to the Northern Army, and John Lansing, Jr., were sent on this mission. Isaac Tichenor, Cuyler's deputy, was naturally consulted in Bennington. In their letter of July 26³ to Schuyler, they wrote they had traced Ethan Allen's movements from May 2 to July 10, and reported that he was on the Grants July 1 to 8 and at Lake George, July 9 and 10, where he was seen by Governor Clinton. Lansing wrote another letter to Schuyler, of same date, giving the names and sentiments of the men from whom he obtained the information.

Farnsworth [Joseph] and Putnam [Captain]⁴ displease their government and are friends to New York, but adverse to the administration of claim to the soil. Tichenor has some property in the Grants under New Hampshire patents and is consequently interested in wishing a cession of the soil to the Grantees — but he admires the state of New York and I believe cordially wishes that the grants may remain under New York. He dislikes Allen's conduct and is not far from being his personal enemy.

Farnsworth, notwithstanding his dislike of the Vermont Government, accepted the position of Commissary-General of the Vermont militia; he had been assistant commissary in the Continental army.⁵

While Allen and the leaders were preparing for their struggles with Congress, the enemies of Vermont were working within the State. August 4, Jacob Bayley wrote to President Weare; 'I wish your state would not neglect to support your claim to the grants on this side the river, it is a matter of infinite importance to the state.'⁶ At a special meeting of the Council, held July 13, at Arlington, Ira Allen was 'appointed to proceed to Philadelphia to deliver a letter from Governor Chittenden of this day's date, to Samuel Huntington, Presi-

¹ *Smith Diary*, July 1, 4, 8, 1780, New York Public Library.

² Lossing, *Life of Schuyler* (New York, 1873), p. 409.

³ *Schuyler Papers*, Lansing to Schuyler, July 26, 1790, New York Public Library.

⁴ Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 2, p. 69.

⁵ *Ibid.*, p. 126.

⁶ *Weare Papers*, vol. 3, p. 109, New Hampshire Historical Society.

dent of Congress.' ¹ On August 18, Stephen R. Bradley was 'requested as agent to this state to repair to Philadelphia in company with Colo. Ira Allen.' Chittenden's commission to them is dated August 16.² They proceeded to Philadelphia at once, that they might become acquainted with the members of Congress and state their case privately before it was publicly considered. Allen and Bradley found when they arrived in Philadelphia that

the people in the south-east part of the state [of Vermont], who professed allegiance to the state of New York, sent their agent, Luke Knowlton, to attend Congress; and the people in the north-east part of the state, who were, in opinion and politics, with the revolting members of the Legislature of Vermont in 1778, also sent their agent, Peter Olcott, to Congress; ³ thus, to that body, all parties appear to be represented.⁴

Peter Olcott carried to Congress a letter of recommendation from Moses Hazen, an officer in the Continental army, to General John Sullivan, then a member of Congress from New Hampshire. Hazen wrote:

I find it is his opinion that the people on that river [Connecticut] are determined that they will not be divided by the present river line. They wish to be with New Hampshire but if Vermont should be admitted as an independent state, then and in that case it is Col. Olcott's opinion that the towns down to Mason's patent will solicit protection from under Vermont.⁵

Delegates from nine States, exclusive of the three claiming States, were not in attendance until September 19; on that day all the parties were notified to attend the Congress at 6 P.M.; from that hour until midnight the Vermont question was ably argued. Ira Allen had the pleasure of hearing read in Congress the letter which he had written with Chittenden at the latter's house on July 13,⁶ but which was dated July 25. At that time the Council had met and Jonas Fay and Moses Robinson had been present; they had not been present at the meeting on the 13th. Vermont's situation is so concisely set forth that the letter, as copied by Fay, follows:

¹ Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 2, p. 35.

² *Papers of the Continental Congress*, No. 40, 1, folio 357, Library of Congress.

³ *Ibid.*, folio 361.

⁴ Allen's *History of Vermont* (London, 1798), p. 140.

⁵ *Sullivan Papers* September 13, 1780, New Hampshire Historical Society.

⁶ Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 2, p. 35.

BENNINGTON, *July 25th, 1780*

SIR,

Your Excellency's letter of the 10th ult. enclosing several acts of Congress, of the 2d and 9th of the same month, I accidentally received, the 6th inst. have laid them before my Council and taken their advice thereon, and now beg your Excellency's indulgence while I treat on a subject of such moment in its nature, and which so nearly concerns the citizens of this state.

However Congress may view those resolutions, they are considered by the people of this state, as being, in their nature, subversive of the natural rights which they have to liberty and independence, as well as incompatible with the principles on which Congress ground their own right to independence; and have a natural and direct tendency to endanger the liberties of America, which have hitherto been defended at great expence both of blood and treasure.

Vermont's right to independence has been sufficiently argued, and the good consequences resulting to the United States, from its first assuming government, clearly vindicated in sundry pamphlets which have been officially laid before Congress. I beg leave to refer your Excellency to 'Vermont's appeal' &c. particularly from the thirty second to the forty second page; in which, among other things is contained a particular answer to the resolutions of the 24th of September, referred to in the resolves of the 2d of June last; and a denial of the authority of Congress over this state, so far as relates to their existence as a free and independent government.

I find notwithstanding, by a resolution of the 9th ult., that Congress have assigned the second Tuesday of September next to judge absolutely of the independence of Vermont, as a separate jurisdiction. Can Congress suppose that this government are so void of reason, as not to discern that the resolves of the 2nd and 9th of June aforesaid, (so far as the authority of Congress may be supposed to extend to this state,) are leveled directly against their independence?

Vermont as before mentioned being a free and independent state, have denied the authority of Congress to judge of their jurisdiction. Over the head of all this it appears that Congress by their resolutions of the 9th ult. have determined that they have power to judge the cause; which has already determined the essence of the dispute; for if Vermont does not belong to some one of the United States, Congress could have no such power without their consent, so that consequently determining that they have such a power has determined that Vermont have no right to independence, for it is utterly incompatible with the rights and prerogatives of an independent state, to be under the control or arbitrament of any other power. Vermont have therefore no alternative, they must either submit to the unwarrantable decree of Congress, or continue their appeal to heaven and to arms.

There may in future be a tryal at Congress, which of the United States shall possess this territory, or how it shall be divided amongst

them, (but this does not concern Vermont) and it is altogether provable that there have been proposals for dividing it between the states of New Hampshire and New York, the same as the King of Prussia, the Empress of Russia, and the Empress of Hungary divided Poland between those three powers, with this difference only, that the former are not in possession of Vermont.

The cloud that has hovered over Vermont, since the ungenerous claims of New Hampshire and Massachusetts-Bay, has been seen, and its motions carefully observed by this government, who expected that Congress would have averted the storm but disappointed in this, and unjustly treated, as the people (over whom I preside on the most serious and candid deliberation) conceive themselves to be, in this affair; yet, blessed by heaven, with constancy of mind, and connexions abroad, as an honest, valiant and brave people, are necessitated solemnly to declare to your Excellency, to Congress, and to the world, that, as life, liberty and the rights of the people intrusted them by God are inseparable; so they do not expect to be justified in the eye of Heaven or that posterity would call them blessed if they should tamely surrender any part.

Without doubt Congress have (previous to this) been acquainted that this state has maintained several posts on its frontiers at its own expense, which are well known to be the only security to this quarter of the frontier inhabitants of the states of the Massachusetts-Bay and New Hampshire; and it is highly probable that Albany and such part of the state of New York as lies to the northward of that would before this time have been ravaged by the common enemy had it not been for the indefatigable exertions of this state, and the fears which the enemy have been and are still possessed of, that their retreat would be interrupted by the troops from those posts and the militia of this state.

Thus, by guarding the frontiers, has this state secured the friendship of part of the private gentlemen and yeomanry, even of those states, whose representatives it seems are seeking its destruction; and having the general approbation of disinterested states; this people are undoubtedly in a condition to maintain government; but should they be deceived in such connexions, yet as they are not included in the thirteen United States, but conceive themselves to be a separate body, they would still have in their power other advantages, for they are (if necessitated to it) at liberty to offer, or accept terms of cessation of hostilities with Great Britain, without the approbation of any other man, or body of men; for on proviso that neither Congress, nor the Legislatures of those states which they represent, will support Vermont in her independence, but devote her to the usurped government of any other power, she has not the most distant motive to continue hostilities with Great Britain, and maintain an important frontier for the benefit of the United States, and for no other reward than the ungrateful one of being enslaved by them. True, Vermont have taken an active part in the war subsisting between the United States and Great Britain, under an ex-

pectation of securing her liberty; considering the claim of Great Britain to make laws 'to bind the colonists in all cases whatsoever without their consent,' to be an abridgment of the natural rights of mankind; and it appears that the said resolves of the 2d and 9th of June are equally arbitrary, and that they furnish equal motives to the citizens of Vermont to resist the one as the other; for if the United States have departed from the virtuous principles upon which they first commenced the war with Great Britain, and have assumed to themselves the power of usurping the rights of Vermont, it is time, high time, for her seriously to consider what she is fighting for, and to what purpose she has been more than five years last past, spilling the blood of her bravest sons.

This government have dealt with severity towards the tories, confiscated some of their estates, imprisoned some, banished some and hanged some &c. and kept the remainder in as good subjection as any state belonging to the union. And they have likewise granted unto worthy whigs in the neighboring states some part of their unappropriated lands; the inconsiderable avails of which have been faithfully appropriated for the defence of the northern frontiers; which eventually terminates in the support of the interest and securing the independence and sovereignty of the United States — And after having faithfully executed all this, have the mortification to meet with the resentment of Congress circulated in hand-bills and the New York public papers, representing their conduct 'in contravening the good intentions of Congress, as being highly unwarrantable and subversive of the peace and welfare of the United States.' Those resolves serve only to raise the expiring hopes and expectations, and to revive a languishing flame of a few tories and seismatics in this state, who have never been instrumental in promoting the common cause of America.

With regard to the state of the Massachusetts-Bay, they have not as a legislative body laid any claim to the territory of Vermont; nor have they enacted laws, judicially authorizing Congress to take cognizance thereof agreeable to the afore mentioned resolves; a majority of their legislative body considering such pretensions to be an infringement on the rights of Vermont, and therefore the state of the Massachusetts-Bay cannot be considered as a party in this controversy.

And as to the state of New Hampshire, altho' they have judicially authorized Congress to make a final adjudication of their late started and very extraordinary claim to the territory of Vermont, yet by recurring back to original proceedings between the two states, it appears that the General Court of New Hampshire, had previous to laying their said claim, settled their boundary line with the state of Vermont, and established Connecticut river for the boundary between the respective governments; and so far as the approbation of the government of New Hampshire can go, have previously conceded to the independence of Vermont, the particulars of which are too prolix to be given in this letter, but are exhibited at large in a

pamphlet entitled 'A concise refutation of the claims of New Hampshire and Massachusetts-Bay to the territory of Vermont &c' which is herewith transmitted as a bar against the right of New Hampshire to a tryal for any part of Vermont.

The government of New Hampshire, ever since the Royal adjudication of the boundary line between them and the government of New York in 1764 have cast the inhabitants of the contested territory out of their protection, and abandoned them to the tyranny of New York, and have very lately over the head of the settlement aforesaid, laid claim to the said territory, and enacted laws as aforesaid to enable Congress to judicially determine the merit of said claim; how glaringly illegal, absurd, and inconsistent must their conduct, as a legislative body, appear, in this respect? Such irregularity among individuals arise from the ill government of the human passions; but when that takes place in public bodies it is unpardonable, as its influence is more extensive and injurious to society.

Hence it appears that (legally speaking) neither of the states of New Hampshire or Massachusetts-Bay, can be with propriety considered as parties in the controversy; and consequently New York alone is left a competitor with Vermont; even admitting that Congress are possessed of sufficient authority to determine those disputes agreeable to their resolutions; which, by this government is, by no means, admissible.

Notwithstanding the usurpation and injustice of neighboring governments towards Vermont, and the late resolutions of Congress, this government (from a principle of virtue and close attachment to the cause of liberty, as well as a thorough examination of their own policy) are induced once more to offer union with the United States of America, of which Congress are the legal representative body. Should this be denied, this state will propose the same to the Legislatures of the United States, separately; and take such other measures as self-preservation may justify. In behalf of the Council, I am, Sir,

Your Excellency's most obedient, humble servant
THOMAS CHITTENDEN ¹

This was a masterful letter, serving notice on Congress that Vermont might act precisely as she did act during this and the following year. Allen wrote of this session:

The agents of Vermont had frequent interviews with the members of Congress, in particular those from New York, with whom they spent several evenings in the most sociable manner. Very different views and objects seemed to be pursued by all parties; indeed, all parties seemed determined to carry their point. Therefore, to gain as great an advantage as possible, the agents of Vermont requested

¹ *Papers of the Continental Congress*, No. 40, 1, folio 345, Library of Congress; also Wilbur Photostats, University of Vermont; also Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 2, p. 254.

in writing, that when any debates came before Congress which might affect the rights, the sovereignty, or independence of the state of Vermont, they might be present. On this request, the opponents to Vermont took courage, supposing that by getting the agents to attend in Congress, they would make some remarks on the evidence adduced against the independence of Vermont, or, in some way, put it in the power of that body to consider the cause to them submitted by the agents of Vermont.¹

While Allen and Bradley were not treated by Congress as agents or representatives of any State or people invested with legislative authority, they attended for two days and listened to New York's statement of her case. They made no objections to many of the errors of statement, for, the stronger the statements against them, the more they would have to remonstrate against. Congress showing no disposition to treat them as agents, they refused to attend while New Hampshire was presenting her case, notwithstanding that Congress sent the Secretary, Mr. Thomson, to urge them to attend. On ascertaining from them that they would not attend, Thomson inquired what report he should return to Congress. They replied, '*that while Congress sat as a Court of Judicatory, authorized by the claiming states ex parte, and Vermont was not put on an equal footing, they should not again darken the doors of Congress.*'² On September 22 they filed a remonstrance with Congress³ which closed with a proposal to furnish Vermont's quota of men during the war, after which they would attempt a settlement of the controversy, or, failing that, they would agree to leave it to one or more of the Legislatures of the disinterested States. The last clause of the remonstrance was directed toward New York:

It gives us pungent grief that such an important cause at this juncture of affairs, on which our *all* depends, should be forced on by any gentlemen professing themselves friends to the cause of America, with such vehemence and spirit as appears on the part of the state of New York: And shall only add, that if the matter be thus pursued, we stand ready to appeal to God and the world, who must be accountable for the awful consequences that may ensue.⁴

Allen and Bradley having declined to attend, September 27, Congress thereupon postponed further consideration of the

¹ Allen's *History of Vermont* (London, 1798), p. 140. ² *Ibid.*, p. 141.

³ Appendix 1780, VI.

⁴ Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 2, p. 265.

matter. On October 2, Allen and Bradley wrote Congress the 'time of our appointment . . . expired yesterday . . . we set out this morning.' The letter also stated that they had other evidence 'more authentic . . . which we have not here at present,' and requested that Congress postpone further consideration of the matter. This was read in Congress, October 6. John Sullivan a month later wrote President Weare of the September 19 night session:

Congress met . . . at six o'clock in the evening and sat till twelve. It was learnedly and candidly argued; the agents on both sides attended without speaking. The arguments ran so much against New York that the agents who were before pressing a decision have never mentioned it since, and thus it rests at present.

While Congress was considering Vermont's case, Benedict Arnold attempted to surrender West Point to the British. André was captured September 23. This event caused great consternation throughout the country and was a shock to Washington, who had placed Arnold in charge of West Point, August 3. Arnold had been in correspondence with Sir Henry Clinton for some time.¹

Allen, while in Philadelphia, conceived a plan that placed both New York and New Hampshire on the defensive. To quote his own words:

When Ira Allen, Esq. was attending Congress at Philadelphia, in September, 1780, he gained private information, which gave more than reason to suspect, that the disputes between the Connecticut and Pennsylvania claimants, might have contributed towards the fate of the people of Wyoming, who were destroyed by Col. Butler, and a party of Indians in 1778; and that similar evils were in contemplation for the people of Vermont. Mr. Allen retired to a place for consideration, alone, under the shade of an oak tree, near the bank of the Schuylkill: soon after a plan was laid between Ira Allen and Luke Knowlton Esquire, at Philadelphia, to unite all parties in Vermont in a way that would be honorable to those who had been in favour of New York, and said sixteen towns, that would justify the Legislature of Vermont, in extending her jurisdictional claim to the east of Connecticut River: this was highly satisfactory to Mr. Knowlton. Another deeper and more secret object was in view, to take the advantage of political disputes, and thereby enable the state in a friendly way, to protect her frontiers from British invasion; to effect these objects, measures were taken to induce some of the western members of the Council and Assembly of New Hampshire,

¹ *Smith Diary*, September 8, 1780, New York Public Library.

who had exerted themselves to extend the jurisdictional claim of New Hampshire over the territory of Vermont, to write circular letters to convene a convention which met at Walpole in December, 1780; after some deliberation they issued new writs for a full convention of Representatives from all the towns granted by New Hampshire, on both sides of the Connecticut river, and adjourned that convention to the 16th of January, 1781, to meet in Charlestown.¹

In this enterprise in which he was about to engage, as outlined above, Allen must have believed he could not entirely rely on Stephen R. Bradley. He had been obliged to rewrite Bradley's 'Vermont's Appeal to the Candid and Impartial World,' published early in this year, which may have been the reason that, after this time, they were never closely allied and, several years later, Bradley showed his enmity to Allen. Bradley seemed not to appreciate Allen's generosity in allowing the book to be published as his when Allen contributed the matter which gave it merit.

Whether Ira Allen had ever met Luke Knowlton, one of the ablest men residing on the east side of the range, before this visit to Philadelphia, is not known. Knowlton had always been loyal to New York and was attending Congress to further the interest of that State. Knowlton had taken no part in the conventions called in the interest of Vermont. Allen won the confidence of Knowlton to such an extent that he declined to act longer as the agent of New York and entered with all his energy into the project of forming the two unions.

Allen's acumen in forming this plan proved most remarkable. His efforts had maneuvered the sixteen towns in New Hampshire out of the last union with Vermont; and one might wonder how he could induce them to rejoin the State. The last union had greatly disturbed the Government of New Hampshire, and there was every reason to believe that New York would react in the same way when he annexed that part of New York lying between Vermont and the Hudson River, a territory twenty miles wide and seventy-five miles long. Allen needed Knowlton to influence the New Hampshire people in order that they should not suspect his instigation of the movement. He had little doubt that General Bayley and the Dartmouth group would hold the opinion that, if they could once more become a part of Vermont, they would

¹ Ira Allen's *Address to the Freemen of Vermont* (1808), p. 20.

stay and control it. There was great danger of such a result, but Allen felt compelled to take the chance. Moreover, the annexation of a part of New York would offset the New Hampshire members' influence. It should be remembered that Vermont levied no taxes. Deserters from Washington's army constantly took refuge within her borders, and they were well treated. Chittenden, in his accounts, charges up money, food, shoes, and clothing given to the deserters. Washington wrote early in 1781 that, if Congress did not decide the Vermont controversy, all his soldiers would desert and go to Vermont. President Weare wrote on November 20 to General Sullivan:

matter of Vermont of very serious importance . . . many difficulties until it is determined. The county of Grafton except two or three towns have not paid any taxes for several years, have no courts of law or any proper regulations. . . . I enclose you a copy of Genl. Bayley's letter, . . . I can hardly persuade myself that they are carrying on a negotiation with the Commander-in-Chief at Quebec.¹

Before narrating Allen's enlargement of Vermont's territory by these unions, it will be necessary to go back a few months and disclose another plan that was being evolved to save Vermont for her settlers regardless of the outcome of the war.

Ira Allen in his 'History' relates that

the first information that the people of Vermont heard, that the British Generals in America thought to avail themselves of an advantage in the disputes that subsisted between the claiming states and Congress, on the one part, and Vermont on the other, was contained in a letter from Col. Beverly Robinson dated New York, March 30, 1780, directed to Col. Ethan Allen, which was delivered to him in July in the street in Arlington.²

Robinson's letter offered his services to Ethan Allen should he desire to communicate with Sir Henry Clinton with a view of assisting 'in uniting America again to Great Britain . . . that you may obtain a separate government, under the King . . . and the men, formed into regiments under such officers as you shall recommend, and be on the same footing as all the provincial corps are.' Ethan Allen, of course, showed the letter to his brother Ira, Governor Chittenden, and a few others. They decided that no answer should be returned, but that Governor Chittenden should address a letter to General

¹ *Weare Papers*, 013-24, p. 198, Massachusetts Historical Society Papers.

² Allen's *History of Vermont* (London, 1798), p. 150.

Haldimand, British Commander-in-Chief in Canada, on the subject of a cartel for the exchange of prisoners. This was done and the letter, with a flag, sent to a British ship in Lake Champlain.

With these different intrigues on foot, the Legislature met at Bennington on October 12. On the first day there were present sixty-six members, representing forty-four towns. Ira Allen was again elected Treasurer and Councilor. There must have been some friction, for Governor Chittenden requested the House to accept his resignation. He was urged after repeated requests to take the oath and serve, which at length he did. The Legislature 'resolved that this Assembly do not consider any person born in the United States of America to be a foreigner.' On October 14, Ira Allen made his report regarding his mission to Congress. On October 21, the Assembly granted more vacant land; among the grants made at this time was Montpelier, now the capital. On October 25, the Assembly voted unanimously to grant all lands in the State: Ira Allen had these measures passed in preparation for the unions, which at this time was unknown to the Assembly. An alarm from the enemy caused some members to leave. The same Board of War was continued, and it was voted to raise four hundred men to defend Castleton, where General Ethan Allen was in command. On October 23, letters were read from General Allen at Castleton. The next Thursday, more letters were read, telling of the enemy's approach to the frontiers. The Legislature adjourned to Monday to help guard the homes of the members. Thus the Assembly of the people adjourned for a few days to fight the enemy and then returned to the legislative halls to pass such laws as were deemed necessary. Those indeed might be called strenuous times. On October 31, a letter from General Haldimand, dated Quebec, October 22, was laid before the Assembly, and also one from General Carleton, dated Crown Point, October 26. Governor Chittenden informed the House that he had written to General Haldimand, and that the letter just read, arranging for exchange of prisoners, was Haldimand's response. A resolution was passed approving of General Ethan Allen's acts, and directing that he discharge the militia and volunteers.

William Hutchins filed a remonstrance against General Ethan Allen. It was dismissed, but Allen resigned his com-

mand, 'because,' he said, 'among the people some were uneasy on account of his command.' On November 7, the Assembly accepted Ethan Allen's resignation and gave him a vote of thanks. This action was caused by the reports circulated that Ethan Allen had met a flag of truce from Canada. That he had done this, the full account of the incident in the next chapter will show. An act was passed November 3, that after May 1, 1781, all lands 'be considered vacant where charters have not been filed.' The Assembly then concerned itself with granting land and passing rules and regulations for the Commissary of Purchase Department. All commissaries were to give bond to the Treasurer. They were to have credit of two gills in each gallon of rum to prevent their putting water in it, an action that called for severe punishment. Colonel Udny Hay, Commissary-General for the Continental army, requested permission to buy supplies in the 'New Hampshire Grants.' His use of that name, instead of Vermont, was resented and the committee reported adversely.¹ The Legislature, which had dwindled to a bare quorum, adjourned to meet at Windsor the following February.

Immediately after adjournment, Ira Allen started for Castleton to confer regarding the cartel for the exchange of prisoners, though Haldimand had declined to negotiate with Washington for such a purpose.² Allen was absent eight days on the mission. On November 17, with the Governor, he called the Council together and dismissed Major (Ebenezer) Allen and the militia. So important a measure, naturally occasioned throughout the country many reports, some of which were exaggerated. On November 11, Smith wrote in his diary,

John Monroe in from Ballstown, . . . day he came off a man came to Ballstown for recruits he was to conduct to Ticonderoga where Major Carleton was in great force. Ethan Allen had joined him with 600 Green Mountain Boys. The whole country in consternation.³

When Ethan Allen settled the cartel with Major Carleton, it was agreed that all aggressive acts against the settlers in Vermont should cease; it was also agreed that it would apply to the New York frontier east of the Hudson River.⁴ This would

¹ *Canadian Archives*, B-175, p. 48. ² *Ibid.*, p. 43.

³ *Smith Diary*, vol. 6, New York Public Library.

⁴ *Canadian Archives*, B-175, p. 61.

assist Ira Allen in his plan to annex the Hudson Valley towns, which he contemplated executing the following spring. Carleton's explanation to Haldimand, who did not approve of this agreement, was that Vermont might have been called on to assist New York against him.¹ The retirement of the British troops to Canada permitted the farmer militia of Vermont to be sent home to put in their winter wheat.

Luke Knowlton, sometimes called Saint Luke, true to his promise to Ira Allen, initiated, on October 31, measures to bring about a convention at Walpole, New Hampshire, which passed a resolution to call another convention to meet at Charlestown, January 16, 1781.

Ira Allen had left Lake Champlain, November 14, and returned to Arlington. Notwithstanding the cartel and the apparent truce between Vermont and the British, Allen, on November 23, started off to Hartford to buy powder. While there he issued a call, published in the *Courant*, warning the proprietors of Colchester, Jerico, Essex, Georgia, Swanton, and Highgate to meet at 'the dwelling house of Brig. General Ethan Allen of Sunderland [Vermont] on the 31st day of January next at two of the clock afternoon.' He then rode to the 'oblong' (a strip of land in eastern New York), to ascertain the date of the next session of the New York Assembly.

Early in December both Connecticut and Rhode Island were urged to use their influence to have Vermont admitted to the United States. The Assembly of Connecticut was convened February 21, 1781, and passed a favorable resolution, instructing the Governor to notify all the New England States who were, by commissioners, to meet at Providence April 12, 1781, to make the request of Vermont a subject of consideration. Rhode Island did the same.

Absurd rumors still circulated. On December 21, William Smith records in his diary, 'accounts come that confirm the defection of Vermont.'² Nine days after he again writes:

Information from Parson Leaming this morning. A man he knows to be worthy of credit, who left Hartford last Monday, is arrived and says: The assembly is sitting there, called by [Ethan] Allen's defection. He has been to Canada and has returned and now holds a fort at Bennington . . . with 600 men. The British have taken post at

¹ *Canadian Archives*, B-133, p. 276.

² *Smith Diary*, vol. 7 (*Memoirs*, 11), New York Public Library.

Ticonderoga to support them. They say they are promised a separate government.¹

General Bayley had evidently written to President Weare of New Hampshire accusing Sullivan of favoring Vermont. Weare sent it to Sullivan, who replied, on December 11, denying the statement. He blamed New York for the manner in which Vermont had been treated.

Genl. Bayley's reasoning is truly ridiculous, he thinks that a people who could join the enemy upon a mere suspicion that Congress might give judgements against them would at once lose both power and inclination by its being reduced to a certainty and judgement proclaimed against them. This kind of reasoning is too trifling to merit a serious answer.²

On December 20, Dr. Benjamin Gale wrote Benjamin Franklin regarding Vermont, saying,

If Congress still continue to refuse them admission, there is danger I apprehend of their throwing their weight into the opposite scale . . . to which measure I apprehend they have not the least disposition unless forced into the measure.

He then requested Franklin to give some suggestions to Congress on this matter.³

There is little doubt that the leaders in both New York and New Hampshire intended to divide Vermont between them, making the central range of mountains the dividing line. In James Duane's Papers, now in the possession of the New York Historical Society, may be seen a small map drawn on a sheet of paper which is reproduced here.

During December, letters were written, signed by Chittenden, to the Governors of the States requesting that the same be placed before the Assemblies of their States. Accompanying this was a copy of the letter of July 25, to Congress: 'It is the only method that Vermont has at present in her power of soliciting a union with the United States, to propose it to their several legislatures seperately.'⁴

Thus the year closed with Vermont still an independent State. Ira Allen realized that the coming year would probably

¹ *Smith Diary*, vol. 7 (*Memoirs*, 11), New York Public Library.

² *Weare Papers*, vol. 9, p. 25, New Hampshire Historical Society.

³ *Stevens Papers* (package marked 'Revolutionary'), New York State Library.

⁴ *Canadian Archives*, B-175, pp. 62-66; also Vermont, *Records of the Governor and Council*, vol. 2, pp. 198, 273.

decide her fate. He was risking all, in two daring projects, both undoubtedly planned by him, as he was the leading spirit who carried both through successfully. The first was to annex to Vermont a large territory out of both New Hampshire and New York and the other was to keep the British army from invading Vermont.

CHAPTER VII

NEW HAMPSHIRE, NEW YORK, AND THE BRITISH

1781

DURING part of the year 1781 Vermont occupied the center of the national stage with Ira Allen the principal actor. The cause of the thirteen States was in a most precarious condition. Serious mutinies had broken out among the American troops in New Jersey and Pennsylvania and some officers had been killed. The troops generally were without clothing and had received no pay for twelve months. Many of the staunchest friends of the Revolution were beginning to doubt the ability of the United States to maintain their independence. Washington wrote in May, 'Army in alarming condition, no cloths, food, etc.' In the memoirs of John Stark one reads, 'If the country was in a sad condition in 1778, it was ten fold more so in 1781, it was overrun with spies and traitors.'

The Vermonters held the northwestern frontier for all the New England States and no aid was forthcoming from any quarter; ruin seemed inevitable unless they would acknowledge the authority of New York and abandon the new State they had fought so hard to establish. They had no money ¹ and no wheat to spare, to pay bills. Americans and British alike were astonished that Vermont defied even Congress. Ira Allen, however, had made friends of the leading men in New England, by securing for some of them grants of land in Vermont; and their hope that these lands would become valuable gave Allen confidence in relying on them to support Vermont.² The Vermonters were anxious to secure the return of their comrades, who were prisoners in Canada, but they had no British prisoners to exchange for them. On January 15, a letter from Governor Chittenden was sent to General Washington, expressing the confidence of Vermonters in him and their willingness to risk everything if they could only be 'assured at the end, of sharing equal privileges with the United States.' It concluded with the statement that Vermont com-

¹ Chittenden letter to Spooner and Green, January 4, 1781, Library of Congress.

² *Smith Diary*, vol. 7, January 4, 1781, New York Public Library.

missioners appointed for that purpose were about to settle a cartel with the British in Canada and requested 'a sufficient number of prisoners to answer such an exchange.'¹ Washington could not assure them of independence after the war and, although Vermont had captured more than three times the number of British necessary to make the exchange and had delivered them to the United States, he declined to send them any British prisoners for this purpose.

As has been told in the last chapter, Luke Knowlton had created a sentiment for a new union, between Vermont and several western townships in New Hampshire. On November 15, 1780, at a convention at Walpole, New Hampshire, it was voted that a committee should call a convention at Charlestown, January 16, 1781, to consider a union with Vermont. Ira Allen and Knowlton wisely had this convention called by several of the New Hampshire Council and Assembly, who were allowed to believe that they could annex Vermont to New Hampshire instead of uniting with Vermont. Among them was General Bellows. The Convention was held January 16; forty-three towns being represented. Eleven of the delegates were members of the New Hampshire Council or Assembly. Ira Allen took credentials as a delegate from Sunderland, Vermont, but did not present them. When he arrived at Charlestown, the Convention had been in session two days, and late in the day, just before his arrival, the Convention by a large majority had voted to annex all the Grants to the State of New Hampshire and 'annihilate' the State of Vermont. Allen at once conferred with some of the leading persons and assured them that in this case Vermont, at her session of the Assembly in February, would extend her claim to the Mason line in New Hampshire which would embrace over thirty townships. He was able to get a motion carried to reconsider the last vote and recommit the resolution to the committee ostensibly to have it properly prepared for the press. Allen wrote in his history of Vermont:

The friends of New Hampshire were much pleased with their success, and well enjoyed the night, but the scene changed the next morning, and the Committee reversed their report, and reported to unite all the territory of New Hampshire, west of Mason's east line, extending to Connecticut River, with the State of Vermont.

¹ Chittenden to Washington, January 15, 1781, *Washington Papers*, Library of Congress; also Wilbur Photostats, 160, University of Vermont.

The report was adopted by a large majority. The eleven members of the New Hampshire Assembly withdrew, having failed to accomplish their object.

This barefaced conduct of the members of the legislature [of New Hampshire] disclosed their intention at once, and furnished Vermont with fair pretensions to extend her jurisdiction, on grounds of similar policy and self preservation.¹

The reading before this Convention of a resolution passed by the New Hampshire Assembly, January 13, had an effect on many contrary to that expected by the leaders who had produced it. This resolution stated that many who resided on the Grants wished to unite with that State,

and as soon as Congress shall proceed in this matter, it is the opinion of this state, that the said agents and delegates ought to use their endeavors to have the question, 'Whether the said tract of land shall be a separate and independent state,' first determined . . . That, if the same shall be determined in the negative . . . have the same Tract confirmed to the State of New Hampshire.

The Vermont delegates from towns adjacent to the Connecticut River, many of whom favored New York, were thus persuaded to vote to annex New Hampshire territory to Vermont. They received the impression 'that New Hampshire did not mean to lay claim to the Grants on the west side of Connecticut River unless Congress should first determine they were not a separate State, which they say Congress will never do.' ² A committee was appointed to confer with the Legislature of Vermont and the Convention adjourned to meet at Cornish, only three miles from Windsor, on the day the Vermont Legislature was to meet at that place.

Benjamin Giles, one of the delegates who had withdrawn, wrote President Weare from Newport, New Hampshire, January 22, of the arguments used at the Charlestown Convention, stating,

What has induced many of our people is: they suppose the method they have taken is most adapted to bring the matter to a speedy issue by Congress [this reveals Ira Allen's reasons in forming these unions and the arguments used with the Vermonters along the river] but I am of quite a different mind from the late conversation I have had with Mr. Ira Allen, for as I understood him Vermont are deter-

¹ Allen's *History of Vermont* (London, 1798), p. 148; also Allen's *Address to the Freemen of Vermont* (1808), p. 20.

² *Weare Papers*, vol. 9, p. 48, New Hampshire Historical Society.

mined at present not to refer the decision of their controversy to Congress, and if necessitated thereto by opposition I fear if they proceed no further they will at least make a confederacy of neutrality with Canada.¹

On February 12, President Weare wrote General Sullivan, at Congress, enclosing a copy of Giles's letter and mentioned some of their many difficulties caused by the union.² Sullivan answered Weare, March 6:

A study of the resolves of Congress will show how much it would be against the interests of New Hampshire to have the question of the independency of Vermont decided first; for Congress long ago determined that inhabitants should submit to the jurisdiction they were under before the war. If complied with, this resolution would have placed them under New York. If the question of deciding independency or otherwise, so warmly urged by New York, is settled, a decision for independency will destroy the claims of both New York and New Hampshire. If decision is contrary, New York will control under order of Council of 1764.³

New Hampshire about this time recalled General Sullivan as delegate to Congress and appointed General Bellows; he, however, declined to serve.⁴ New Hampshire's treasury was empty.⁵

Notwithstanding Allen's admitted ability as a diplomat, his courage, tact, and persuasive personality, it is yet difficult to understand how he could have changed the mind of the Walpole Convention in a single night. In the coming contest Allen and Knowlton could count on those members who had voted against annexing Vermont to New Hampshire, but the secret lay in the different hopes and aspirations of the New Hampshire members. Ira Allen knew them all, knew that some desired to annex Vermont, then give to New York all the territory west of the Green Mountain Range and settle the controversy, while others (the Dartmouth College group) wanted to join all of Vermont to New Hampshire, hold it all together, and make Hanover the capital of the State. Allen was bold enough to tell the Dartmouth group that, if they joined with Vermont, they would, with the towns in Vermont along the Connecticut River, constitute a majority in the Legislature and may have won them by this argument. This

¹ *Weare Papers*, 1780-1824, 013-24, p. 12, Massachusetts Historical Society.

² *Ibid.*, p. 11.

³ *Ibid.*, p. 17.

⁴ *Ibid.*, p. 8.

⁵ *Ibid.*, p. 11.

was a fact, and always, as far as the records show, Ira Allen stated facts, thus in all his most delicate negotiations retaining the respect and esteem of those with whom he negotiated, even though they did not accomplish their object. True, the Dartmouth group had seen themselves voted out of the Vermont Assembly in 1778 when they had had an apparent majority, but they may have believed that this could never happen again. Allen, of course, did not publish the fact that he had another way of checkmating them. This time, in case New York would not consent to the independence of Vermont, he intended to form a union with all the New York towns between Vermont and the Hudson River.

Soon after the Charlestown Convention adjourned, Allen mounted his horse and rode to Albany to attend the session of the New York Legislature, hoping to induce that body to vote a relinquishment of its claim to Vermont and acknowledge it an independent State. Allen had in his pocket a letter he had written,¹ signed by Governor Chittenden, addressed to Governor Clinton of New York, 'to be communicated to the legislature thereof.' Its brevity and boldness make it an interesting document, as it was virtually an answer to a letter from Clinton to Chittenden dated October 26, 1780, in which Clinton regretted the differences between them, adding, 'yet you may be assured . . . I will neither in my private or public character do an act from which there can ever remotely be inferred an acquiescence from me in another separate and independent jurisdiction.'²

STATE OF VERMONT

IN COUNCIL, ARLINGTON, *November, 22d, 1780*

SIR: — Inclosed I transmit your excellency a copy of my letter to Congress of the 25th of July last, and on a full examination of the controversy between the State of New York and this State, and duly considering the present peculiar circumstances of both States, I am induced to make a positive demand on the Legislature of the State over whom you preside, to give up and fully relinquish their claim to jurisdiction over this State, and also propose to them to join in a solid union with this State for mutual defence against the British forces which invade the American States particularly such part as make incursions on the frontiers of the two States from the Province of Quebec. Such a union for the reciprocal advantage of both gov-

¹ Vermont (Force *Transcripts*), No. 13, Allen Accounts, November 20, 1780, Library of Congress.

² *Stevens Papers*, Revolutionary package, New York State Library.

ernments, I am willing to ratify and confirm on the part of this State.

Col. Ira Allen, who delivers this, waits your answer to these proposals.

In behalf of the Council and General Assembly, I have the honor to be with great esteem your Excellency's very obedient humble servant,

THOMAS CHITTENDEN

His Excellency George Clinton Esq., Governor, &c. of the State of New York.

To be communicated to the Legislature thereof.

The Legislature of New York had been summoned to meet on the 3d of January, but a quorum did not attend until about the first of February. On the 5th, Governor Clinton transmitted Governor Chittenden's demand with the message following:

Governor Clinton to the New York Assembly

GENTLEMEN, — You will receive with this message a letter from Thomas Chittenden dated 22d of Nov. last, making a positive demand on the legislature to give up and fully relinquish the jurisdiction of this state over the part thereof generally distinguished by the name of the New Hampshire Grants, with a copy of his letter to Congress of the 25th of July last.

Nothing but the desire of giving you the fullest information of every matter of public concern, could induce me to lay before you a demand, not only so insolent in its nature and derogatory to the honor of the State and the true interests of your constituents, but tending to subvert the authority of Congress (to whom the determination of the controversy is solemnly submitted) and establish a principle destructive in its consequences to the power and happiness of the United States.

GEORGE CLINTON

The letter and the message were referred to the Senate; which passed a resolution February 21, with only one dissenting vote, to appoint commissioners to settle terms with Vermont 'for a cessation of jurisdiction by New York.' The resolution then went to the Assembly, and on February 27 that body voted to consider the matter. As soon as the vote was announced, the Governor's private secretary, who had been waiting to see whether the Senate resolution would be considered, announced 'a message from His Excellency' which declared that 'if the House should agree to carry those resolutions into effect, the duties of his office would oblige him to exercise the authority vested in him by the Constitu-

tion and prorogue them.' This threatening message had its effect and prevented the adoption of the resolution. It was an odious power possessed by the Governor then and has since been expunged from the Constitution. The failure of Ira Allen's effort does not detract from the success obtained with the Senate and the House. Although he failed, only circumstances over which he could have no control caused his defeat.

The following extract from a letter written by Governor Clinton gives an interesting picture of Ira Allen's part in this important episode:

*Governor Clinton to Major General Alexander McDougall, New York
delegate in Congress*

POKEEPSIE, 6 April 1781

DEAR SIR, — In my hasty scroll from Albany I promised you a more lengthy epistle the first leisure hour. It is not yet arrived and if I was to wait for it I am apprehensive I should be charged with inattention.

Our official letters and the copies of laws transmitted with them to Congress with the list of the acts enclosed to Mr. Duane will give you a general idea of the business of the last meeting, and the enclosed copies of Message and resolutions will serve to explain the conduct of the legislature, or rather the Senate, respecting our controversy with the inhabitants of the Grants. I have therefore only to give you a detail of the management of a measure, which, had it succeeded, I am persuaded you will agree would have reflected lasting ignominy and disgrace upon the state, and this consideration alone ought to have forbid it.

By my proclamation the legislature was to have convened at Albany the 3d of January, but the unpunctual attendance of members prevented their forming a quorum until about the first of February. In this period Mr. Ira Allen arrived at Albany, the members who attended met daily to arrange and prepare the business, and on the idea of promoting dispatch, Mr. Allen was introduced and the letter opened in my absence. The proposition it contained was immediately though informally agitated and every engine set to work to prepare the minds of the members as they arrived to accede to it: Our northern and western frontier could only be protected from the ravages of a treacherous and ruthless savage enemy by the numbers and military prowess of the state of Vermont; that we could not expect their assistance without relinquishing our jurisdiction over them and yielding to their claim of independency, that in this case we should conciliate their affections and be enabled to enter into a compact with them and be safe. The greater part of the citizens of Albany and Schenectady and the inhabitants of the northern frontier were easily gulled by the leaders for this measure into a belief of all they said in favor of it, and daily reports of the intention of the

enemy to penetrate the country in force as soon as the lakes were froze, at times that they were actually on their way, circulated to promote the favorite object. The discontents and commotion which at the time too generally prevailed in the state were also in some instances employed to answer the end, and among the grievances complained of by some districts not the best affected to the cause of the country, the opposition given to the independency of Vermont was a noted one. On more minute inquiry I discovered that measures as early as last fall had been taken to promote this hopeful business, and that a certain gentleman (an old friend of ours) [General Schuyler] had then declared his sentiments on the subject and his intention to agitate and support it at the next meeting of the legislature. This I have reason to suspect induced some of our monied gentlemen, to what on such occasions you may judge would be easily obtained, to speculate in lands and solicit grants under the government of Vermont, and by this means they became warmly interested. Under these circumstances it is not strange that a majority of our honest and well meaning Senate, speaking of them as a body, should have been led into a measure from which they were inclined to believe so much good was to result, and not sufficiently apprized of the evils attending it, nor that my message to the Assembly on the subject declaring my intention to prorogue was an unpopular one in Albany. Your official letter informing that there was reason to hope for a speedy and just decision of the controversy to Congress arrived very opportunely and it changed the sentiments of some and for the present stopped the mouths of all, and occasioned the laying aside a long address moved in the Senate in consequence of my message to the Assembly, but not yet agreed to.¹

Clinton's letter refers to a resolution passed by the New York Senate authorizing Schuyler and Platt, two of its members, to draft an address to Governor Clinton respecting Vermont's independence, which would be favorable to that State. McDougall wrote,

The question of the New Hampshire Grants will soon be settled as the state of that name urge its delegates to press for a decision and there is a great reason to expect it will be a just and favorable one for our state. The cession made by New York [of its western lands] to the United States has removed the cause of opposition which Maryland gave, to have our dispute settled, and the other small states not near us, will cease their opposition, as the cause of it is removed.¹

The check administered by Governor Clinton was not altogether a defeat, for it displayed to the hardy Vermonters that it was not the people of New York or their representatives

¹ *Clinton Papers*, No. 3575, New York State Library; also Vermont, *Records of the Governor and Council*, vol. 2, p. 270.

who opposed their independence, but in this case one man whose power could enforce his views. Congress must have seen that the people of New York were not unanimously back of the New York delegates in Congress, who were trying to force that body to decide the land controversy in New York's favor. New York's depleted resources at this time, with no money, and no ammunition, clothes, or provision for her troops,¹ helped to win for Allen and his State the support of her Senate and Assembly. Ira Allen accomplished his mission to Albany in nine days including the time for his journey. He had hastened his return to attend the meeting of the proprietors of Colchester held in Sunderland January 31, at which he was appointed Clerk and Treasurer, then went on to the meeting of the Vermont Assembly and Council to carry through his plan of extending Vermont's territory. New Hampshire, like New York, was also in a deplorable financial condition. The State was unable to send General Sullivan, its delegate to Congress, sufficient money to pay his bills and return home. Naturally the New Hampshire authorities were anxious for Congress to decide the question of the 'Grants.' The counties along the Connecticut River did not pay any taxes during the war, but took pay for services rendered.² Peter Olcott was in favor of New York, but was sympathetic with the aims of the Dartmouth group, whom he had represented in Congress the preceding year.³

General Sullivan was recalled as delegate about this time; he was charged with being favorable to Vermont and accepting a bribe of land in that State. This he denied, stating that Mr. Ira Allen, when attending Congress the preceding September, had avoided even speaking to him; a fact that displayed delicacy on Allen's part, for he and Sullivan were old friends. New Hampshire did not wish to antagonize the people of Vermont, but was anxious to have Congress decide whether it was or was not an independent State.⁴ Congress had no right to make such a decision,⁵ but it was difficult to induce

¹ Sparks, *Correspondence of the American Revolution* (Boston, 1853), Clinton to Washington, vol. 3, p. 228; also *Vermont, Historical Society Proceedings* vol. 2, p. 53.

² *Weare Papers*, 1780-1824, 013-24, p. 11, Massachusetts Historical Society.

³ *Ibid.*, p. 17.

⁴ *Weare Papers*, vol. 9, p. 64, New Hampshire Historical Society.

⁵ George Mason to United States Attorney-General, in private hands.

the authorities in New York and New Hampshire to realize or admit this fact.

The Assembly and Council of Vermont met at Windsor on February 8. No business was transacted for two days; then a communication was received from the committee representing the Charlestown, New Hampshire, Convention that had voted in January to unite with Vermont.¹ These were busy days for Ira Allen, as his was the master mind on all the committees to bring about the union. On one occasion, when the Cornish Convention became impatient, he mislaid certain papers until he thought the proper time had arrived to introduce them. He acted as clerk of the joint committee of the Convention and Assembly, and nothing could be entered upon the records except with his knowledge and consent. Each side presented its proposal and the matter was decided before the next article was considered. There were only eleven regular articles and eight sub-articles, all being agreed upon within seven days, February 14 to 21. The ratification was to take place in April, when the Assembly next met, following a vote of sanction by the people at the March election. So far each faction felt it could accomplish its desires in due time. Ira Allen and his associates waited until the committee of the Convention notified them that they had 'no additional articles and agreed to waive any further objections to answers received to those already proposed,' before they submitted the two following articles, which securely bound to Vermont's independence the opponents of that State in the Convention:

Article 1. That the independence of the state of Vermont be held sacred: and that no member of the legislature shall give his vote or otherwise use endeavors to obtain any act or resolution of Assembly, which shall endanger the existance, independence or well being of the state, by referring its independence to the arbitration of any power.

Article 2. That whenever this state becomes united with the American States, and there shall then be any dispute between this and either of the United States, respecting boundary lines, the Legislature of this state will then (as they have ever proposed) submit to Congress, or such other tribunal as may be mutually agreed on, the settlement of any such disputes.

¹ Vermont (*Force Transcripts*), Library of Congress; also Wilbur Photostats No. 88, University of Vermont.

To these articles the Convention agreed. Later it will be disclosed how the Vermont members of the Assembly, in 1782, much to their discredit, in the absence of Ira Allen broke the spirit, if not the letter, of the last article. Attention should be called to the clever wording of Articles 1 and 2 (proposed only two days before adjournment at eleven in the morning of February 21), which enabled Vermont to dissolve these unions whenever Congress should admit Vermont to statehood. There is no question but that these were inserted by Allen: he formed the unions merely to use them as a lever to compel Congress to treat Vermont justly. He knew that this union and the one he intended to form, of certain counties in New York between Vermont and the Hudson River, would create such a controversy that Congress would have to accord it their attention. His action almost occasioned civil war both with New York and New Hampshire, and each State ordered out its militia. Among those who took a seat in the Vermont Legislature after the union was formed was ex-Lieutenant-Governor Joseph Marsh, who had been very active against Vermont from the dissolution of the first union, and who was much opposed to Governor Chittenden.

Ira Allen was not certain of the intentions of the Senate and Assembly of New York in the matter of relinquishing its claim to Vermont and prepared for the other alternative. On February 14, there is an entry in the Vermont Journal of the Assembly, stating that the Assembly and Council adopted a report made by a joint committee, to lay claim to that part of New York lying between Vermont and the Hudson River. It would seem that, if this had been passed in the Assembly, it would have become known outside the State at once. In the manuscript of the Assembly Journal, this resolve was written in a blank space left for that purpose and in a different handwriting. It was not known until about April, when Governor Clinton obtained a copy. He claimed in a letter to McDougall that it was secret and not on the record and could not have been agreed to by the friends of New York residing in the eastern part of Vermont,

as it is a capital object with them to establish their seat of government on the bank of Connecticut River, against which this western extension would militate and in the end defeat . . . I most devoutly wish this unhappy controversy was decided. I wish for a just and

honorable decision, but I am persuaded almost any that Congress can have in contemplation, is better than further delay . . . If they are to be a state, . . . it is essentially our interest that they should extend to Mason's line.¹

This letter proves the soundness of Ira Allen's judgment in planning the annexation of portions of New Hampshire and New York that night in Philadelphia, when hope would have forsaken most men. On February 5, Governor Clinton could not restrain his indignation at the insolence of the demand that New York surrender her claim to Vermont. February 27, he angrily forbade action upon it by the Assembly of his State, but on April 6, on learning Vermont intended to annex part of New York (but one month before it occurred), he wrote their delegate in Congress he was ready to give up their claim on Vermont if Congress so decided. Clinton knew of the correspondence with Haldimand for an exchange of prisoners and feared the effect it might have on his own people if successful. If he had communicated this to Ira Allen instead of McDougall, the history of Vermont might have been entirely different.

Ira Allen and Joseph Fay, on February 17, were appointed agents to attend the New York Legislature then sitting and establish the boundary line between Vermont and New York. The Assembly adjourned February 23; an act had been passed for the Treasurer to issue £5590 State money, the first issue of State money; arranging to form the 'unions' was the most important business transacted.

Ira Allen knew that, if New York could be induced to relinquish her claim, Congress would admit Vermont as a State at once. When this occurred, his task would be accomplished and leave him free to pursue a business career which he preferred to a political one. If it did not occur, with new members from New Hampshire and New York in the Legislature, his task would be doubly difficult. So in either case he had need to give attention to settling his accounts with the State. He had received no compensation for his labors, and had advanced large sums to bring about the independence of Vermont. He was willing to take land in payment, at the price charged to others, but, as he had been absent almost continuously on

¹ *Clinton Papers*, No. 3616, New York State Library; also *Vermont, Records of the Governor and Council* (Montpelier, 1873), vol. 2, p. 268.

business for the State, he had been unable to render an account to date. Before adjourning, the Assembly, by unanimous vote, passed a resolution which began as follows: 'Whereas Colonel Ira Allen has from the foundation of this state spent considerable part of his time at his own expense in the service of this state';¹ and by the same vote they instructed the Governor and Council to grant and to issue charters to Mr. Allen, for such land as he desired, not to exceed two townships six miles square each of unchartered land, as might be found necessary to settle his account against the State. Alburg [Allenburg] was one of the towns granted. It was then occupied under grant made by Canada to Henry Caldwell.

On February 28, he was at the Governor's house, where he spent four days 'in regulating some writings brought from Windsor,' conferring with the Governor in respect to calling the Council and Board of War.² The Council met on March 6, and the Board of War met two days later. Allen was selected to go to Albany³ ostensibly to ascertain if New York would assist in the defense of the northern frontiers. Arrangements were made to secure a large quantity of lead and powder. The Board of War appointed officers to take the place of those who refused to serve. On March 12, he went to Albany, being absent six days. He endeavored to obtain an interview with Governor Clinton, but Clinton twice refused to meet him.⁴ This treatment determined Allen to annex the New York territory. As soon as he returned to Vermont, he spent two days preparing a letter to the President of Congress, in which he enclosed a copy of the act passed laying claim to the lands of New Hampshire and the articles of union. This was a bold move, as the New Hampshire union was not yet ratified. He then spent ten days on a trip through the New York territory informing the people of the act uniting them to Vermont. Then home and two days with the Governor, 'drawing the bounds of Lands Grove, consulting on the west union and preparing writings for the Assembly,' which met April 4, at Windsor. He was chairman of the committee to arrange the

¹ Manuscript Journal, p. 365, Office of Secretary of State, Vermont.

² Vermont (Force *Transcripts*), Library of Congress; also Wilbur Photostats, University of Vermont.

³ *Stevens Papers*, Miscellaneous Revolutionary papers, New York State Library.

⁴ Letter, May 24, of Dr. Smyth, captured by Schuyler's scouts and sent to Washington.

necessary business of the session and also of one appointed to make recommendations regarding the defense of the State. In his report he named the number of men needed and recommended that £30,000 be raised.

To raise this sum, it was necessary to pass an act to issue State money, as land was not selling. The success of the American cause was in doubt. An act was passed, in substitution for the act passed at the February session, providing for an issue of £25,155, to be redeemed by June 1, 1782, a tax on lands and polls being levied for this purpose. It was the first time the State had attempted to use its credit. The penalty for counterfeiting this money was death. Matthew Lyon, Edward Harris, and Ezra Stiles (who was said to be a son of the President of Yale College) were named a committee to supervise the issue of the bills, and Ebenezer Walbridge, John Fassett, and Thomas Porter were to number and sign the bills. Any two persons could sign. An interesting incident connected with the issue of these bills occurred on June 13, when Walbridge and Porter before the Governor and Council accused Judah Paddock Spooner, Timothy Green, Samuel Avery and Ezra Stiles as confederates in counterfeiting the bills. Spooner and Green were the State printers. Warrants were issued against the men. They were acquitted June 21, as 'one Chaffee and the printer boy . . . both owned the fact.'¹ The levying of taxes in Vermont was an experiment; heretofore the necessary expenses of the State had been met by the sale of public lands and the money received from the sale of confiscated lands and chattels of the Tories. The reason given for levying the tax was:

And whereas the land is the great object of the present war, and receives the most solid protection of any estate; a very large part of which has hitherto paid no part of the great cost arisen in defending it, whilst the blood and treasure of the inhabitants of the State has been spent to protect it, who, many of them, owned but a very small part thereof:

The assessment was '10 shillings on each 100 acres.'

On April 11, the committee appointed for the purpose recommended in a report that the Assembly appoint a committee to attend a Convention to be held at Cambridge, New

¹ Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 2, pp. 103-05.

York, the second Wednesday in May, to agree on articles of union with this State and, provided the Convention agreed to such articles of union, they were to elect members to take seats in the Vermont Assembly, which would meet again in June. This report was approved by a vote of forty-eight to thirty-nine. Twenty-seven of the nays were from New Hampshire towns and most of the other twelve negative votes were from the Connecticut River towns in Vermont. A committee of six members was named, three of whom had voted against the annexation of New York towns. As a majority would rule, this gave the decision to the Council, and most of the members favored the measure. Ira Allen and his friends could have appointed six men whose favor was assured, but Allen ever treated the minority with consideration.

The convention was held in May and articles were agreed to.¹ They were quite different from the articles between Vermont and the New Hampshire towns, but they contained the two clauses regarding the independence of Vermont and the manner of deciding any dispute about the boundary lines. The articles were undoubtedly arranged by Ira Allen during his trip of ten days through the territory, for they were adopted apparently with little friction and while he was away on another mission. At the request of Ira Allen, Surveyor-General, county surveyors were appointed. A proposal for a lottery to build a bridge was voted down, as 'it would encourage others and lottery tickets would be as plenty as continental money was in the height of its flood and then possibly depreciate as fast.' Additional burdens were thrown on the Treasurer at this April session. The soldiers were to be recruited and equipped by the Board of War, of which Allen was the secretary and controlling power. They must be paid and the Treasurer must provide the funds. No supplies could be obtained from the Continental stores. The Assembly adjourned April 16, to meet again on the second Wednesday in June.

Ethan Allen had received two letters from Beverley Robinson, a British officer, accessory to Arnold's treason. The originals were sent to the President of Congress and copies were read to the members of the Assembly, who approved by

¹ Vermont, Miscellaneous, Library of Congress; also Wilbur Photostats, No. 170, University of Vermont.

vote of this mode of disposing of them. Ethan Allen was again elected brigadier-general of militia. Before he heard of it, in a fit of anger, he wrote a letter to Governor Clinton of New York, dated April 14, in which he stated:

Colonel Ebenezer Allen, Captain Jesse Sawyer, Lieutenant Nathaniel Homes and myself are put out of military command in the State of Vermont, . . . I propose to your Excellency for not only myself but those gentlemen before mentioned to engage in the service of the State of New York . . . we would esteem it the greatest happiness of our lives lastly to defend the State of New York against their cruel invaders . . . we are so conceited as to imagine that Vermont have not timber to supply our places.¹

This letter is characteristic of Ethan Allen. He would not in all probability have accepted a commission from New York, but he was impetuous and could not endure restraint. Certainly his brother Ira knew nothing of this letter and, when the Council learned of it, they refused to issue his commission. For some time after this, Ethan had little influence in Vermont and was not in the confidence of the Council.

Illustrating the many intrigues now brewing and the treachery of some of the leading men in the State environing Allen and his few associates, the following secret information, found in the English Archives, is introduced. William Smith, the Tory, obtained and forwarded it in a letter ² to ex-Governor Tryon in England, and he gave it to the Prime Minister. Smith also related it to Sir Henry Clinton on April 11. Micah Townsend, who divulged it, was considered loyal and was elected Secretary of State at the October session of the Vermont Assembly:

Intelligence by Micah Townsend

April 10th, 1781

He left Brattleborough in Vermont on Connecticut River 21st March and Albany 26th, the Assembly setting there. Had Mr. Clinton's permission to come to New York to visit his father, who is very old and lives on Long Island. Was at West Point the 30th instant, where he dined with Gen'l Heath, who gave him a flag to come in. Understood that Washington was then at New Windsor. Came to Westchester last Friday and this day to Town. He has lived at

¹ *Ethan Allen Papers*, Historical Society of Pennsylvania; also Wilbur Photostats, University of Vermont.

² *Canadian Archives*, British Transcript, Colonial Office, 5, No. 158, folio 437, Library of Congress.

Brattleborough ever since the Battle of Bennington, with Col. Wells, who is a friend of Government and whose daughter he married. Before he went there he was himself in the popular sentiments. He has changed them, but that was not known to Mr. Clinton, or he should not have had leave to come here. The Governor of Vermont is Thomas Chittenden, a very crafty man. He has a Council of Ira Allen, Doctor Spooner, Doctor Fay, Judge Robinson, Carpenter, Troop and others, he thinks to the number of twelve. They in general reside on the West side of the Green Mountains. Ethan Allen is Brig-General of the Militia and has no civil office on account of his professed deism and refusing the tests.

Last fall a party from Canada under Major Carleton crossed the Lakes. From that time it has been reported that Vermont has had offers from Canada. The Purport of the offers, a neutrality during the war and at the end of it to be a separate State or Province on the model of Massachusetts, and all grants under New Hampshire to be confirmed. During the late treaty in February last, at Windsor, for a union of certain Towns East of Connecticut River, with Vermont, the Convention for the Towns, desired to know what foundation there was for the report of a treaty with Canada. Governor Chittenden's reply was that Gen'l Haldimand had made offers several times of the King's forming Vermont into a separate Province, but that he had given no positive answer, that he thought the suspension could not be blamed, hinting that the delay was for the time, as good as an army, upon the Frontiers. He also gave certified copies of letters he had written to the New England States and General Washington. The purport of them, that the inhabitants of Vermont were on an exposed Frontier and a barrier to other Colonies and would be obliged either to remove or make the best terms they could with Canada and that they required such States as had claims on Vermont to relinquish them or assist in her defence. The informer thinks the letters were blinds and to be made use of to persuade the Vermont Assembly, hereafter to come into neutrality or union. He understood they were written in the expectation of receiving no assistance from the other Colonies or the Congress that they might be justified in such agreement with Gen'l Haldimand as they had made or might make.

Robert Benson, Secretary to George Clinton, told the informer at Albany that the French Minister at Philadelphia, had interfered respecting Vermont, observing that his master had contracted with thirteen Provinces and that if Vermont was admitted to be a fourteenth and agreed with Canada on a neutrality, it afforded ground for suspicion and he did not know what the consequences might be.

The Senate of New York went so far this winter as to admit Vermont to be a separate Government and it had like to have been assented to by the Assembly, if Mr. Clinton had not threatened, unless the business was dropped to prorogue them. These things were known at Windsor at the treaty between Vermont and the Eastern

Towns last February.¹ General Schuyler is of the Senate and understood to be for the Independency of Vermont.

Vermont passed a Law last fall, and under it are now raising men and forming magazines at Bennington and other places. The number of men was to be 700. The taxes for magazines are assessments of provisions in kind.

Neither the people nor the Assembly at large are informed of the truth of what is passing between Vermont and Canada. The informer thinks the Governor and Council with some few of the Assembly manage these matters. It would not be politic to let the main body as yet, into a treaty that unites with Great Britain. There is a passing and repassing between Canada and Vermont.

The informer and Col. Wells were both of the convention for the late union of the Eastern Towns. They are intimate with Stephen R. Bradley, the attorney general for Vermont, who was formerly aid de Camp to Gen'l Worster. He was the author of the publication called Vermont's Appeal and is as much in the secrets of Vermont as Chittenden, the Allens,² etc. Bradley's opinion is, that the Independency of America must fall through, and that no solid agreement can be made by Vermont, except with Great Britain. He (Bradley) says Chittenden and his Council are treating with Mr. Haldimand under that apprehension. Mr. Bradley was requested last February to go with a flag to Canada, but declined it, and other persons were sent, viz: Doctor Fay, of the Council and a Capt. Clarke. He heard just before he came from home and along the road that Massachusetts had relinquished her claims to Vermont, which extended to forty or fifty odd towns.

The informer is well acquainted with the condition of the Province of Massachusetts Bay and travelled lately thro' a very considerable part of it. The inhabitants are more disgusted at the war and inclined to a reunion than any others he knows of. There are Conventions formed in divers places to express their discontents. They despise the new model of Government and its Courts. Before the late declaration of the Royal Commissioners, the Town of Deerfield instructed their Delegate at the General Court to use his influence to get instructions to their Congress delegates, to make peace with Great Britain. On this the general court suspended their habeas Corpus Act and sent citations for Messrs. John Williams, Seth Catlin, and Mr. Ashley, who had been promoters of the Deerfield instructions and they are all now in jail for it, at Boston. There are similar conventions in Middlesex, Worcester and Hampshire Counties. The uneasiness is general thro' the whole Government of Massachusetts Bay, That people have been taxed beyond any other Colony.

Settlers flock daily [into Vermont] from the old Colonies; many also who are deserters from the Continental Army, all fly from taxes

¹ He was wrong. The Vermont Assembly adjourned February 23, and this incident in New York occurred February 27.

² This statement does not accord with the facts.

or military services. No parties have as yet dared to come there for deserters.

The Towns [in New Hampshire] that have lately joined Vermont consist of whigs and tories. The Allens did not favor the union so much as the extension of Vermont to the Hudson. Ira Allen observed that as these Towns were in Governor Wentworth's Government, there could be no hope of their being a part of Vermont, if the King prevailed. The informer believes that the Act for the Eastern annexations was the more disgusting to the Allens, because it may retard the compact driving with Gen'l Haldimand and create objections to it.

Col. Wells is of opinion that very good consequences may be expected by menaces and chastisements on the Coast of New England. There is such a general impatience of war, that any fresh trouble in calling out the militia, will animate them to follow the example of Deerfield and if a few towns spoke out at a time, the usurpers would not dare to act against them and the great mass of the people would join in the same language.

He also wished it to be known to The Commander in Chief, that he will undertake to convey dispatches to and from Canada to any Town on the Connecticut shore. He supposed the passage near the Hudson precarious. It is not so along the Connecticut. He would find means to take up and leave them monthly at or to the Westward of New Haven. There are many friends on that Coast, all are so at Middlesex, a village between Stamford and Norwalk.

The declaration of the King's Commissioners has appeared in all the New England papers. It has had great good effects. Friends wish the exception had not been so extensive. There may be a general change of temper expected by the fall.

Col. Wells most earnestly recommends it to find means, to let it be known in Massachusetts that Government will take no offence at the Loyalists accepting offices and interfering at Elections, if they improve the power they thereby acquire to bring about a union with Great Britain. This known confidentially and authentically by a few loyalists, would enable them to spread its influence far and wide. The elections will come on soon. The hint is submitted as of great importance to the Crown.

Vermont before the Union of the Eastern Towns had a militia of 5,000, now united 8,000. These detached for the war in Massachusetts come there for substitutes and pay a thousand dollars hard money for a man. He had known 900 dollars refused.

Letters have passed between Gen'l Haldimand and Col. Wells, until suspicions rendered the correspondence unsafe from Canada. But messages may now be recommenced with caution.' ¹

Ira Allen wrote in his 'History':

At the time of projecting these unions, and laying the basis for

¹ *Canadian Archives*, British Transcripts, Colonial Office, 5, No. 1304, Vermont, pp. 45, 50.

the first in Philadelphia, which also united the people contiguous to Connecticut River, the State of Vermont was in a forlorn situation, torn by intestine divisions and the intrigues of the enemies in Congress; all the cannon, nay, every spade and pickaxe taken by her valiant sons at Ticonderoga and Crown Point, were removed out of the state to Fort George, together with Colonel Warner's regiment, raised in and for the protection of Vermont, . . . New York recalled at the same time, all her state troops from Skenesborough. . . . The inhabitants of Vermont had rendered themselves obnoxious to the British by the capture of Fort Ticonderoga, Crown Point, and St. John's, the Battle of Bennington cutting off the left wing of Burgoyne's army, &c. and in Canada there were more British troops than the whole militia and troops in Vermont amounted to altogether. . . . The genius of Vermont was fruitful in resources; even in the gulph of difficulties, and on the verge of ruin, she waxed strong, extended her wings, and made herself known amongst the nations of the earth.¹

Allen remained in Windsor five days after the Assembly adjourned on April 16, attending to Board of War matters and consulting with surveyors to find more vacant land to grant. He then went to his home in Sunderland and with the Governor and some of the Council, spent two days 'regulating papers and politicks.' He also gave three days to drawing up the papers for the exchange of prisoners and preparing to start on the most dangerous and important undertaking of his life. So dangerous was it that Ethan, said to be the bravest man on the Grants, begged him not to go, and, when he was mounted, tried to pull him off his horse. He postponed the journey a day or two that he might start on his birthday Tuesday, May 1, 1781.

The negotiations between Vermont and the British from 1779 to 1783 have been the subject of many acrimonious writings for the past one hundred years. Historians have often accused the Vermonters of being traitors in their negotiations to join Great Britain. They were not then recognized as of the United States and were within their rights in taking whatever action was deemed imperative to save Vermont. The entire details of this negotiation, that was of such importance to the United States, as well as Vermont, are now for the first time published. The archives of Great Britain, France, and Canada have furnished most of these details. Had the British army in Canada not been held there during

¹ Allen's *History of Vermont* (London, 1798), p. 158.

1781 through Ira Allen's negotiations, could Washington have taken his army south and defeated Cornwallis? Before Cornwallis surrendered, Sir Henry Clinton told William Smith, in a two-hour confidential talk, that bringing Vermont to the British side was the most urgent and important matter now before them.¹ Communication with the British was also one of Ira Allen's most important pieces of work in establishing the independence of Vermont.

Before following Allen on his long and dangerous enterprise, the reader must turn back and ascertain the desires and intentions of the British concerning Vermont. It must be remembered that their activities were unknown to Ira Allen. Sir Henry Clinton, in addition to being one of the Commissioners of Great Britain, representing that country in North America, was in command of the British forces in the United States. General Frederick Haldimand was in command of the British forces in Canada from the Atlantic to the Pacific oceans. Vermont was not in his territory, but Lord George Germain, British Secretary for the Colonies, urged General Haldimand to take up these negotiations, as Vermont was more accessible to him, and conferences could be held by the representatives of the two Governments on the border. Clinton was very anxious to win over the Vermonters; he knew that it would bring great honor and reward by the King, and he gave Germain the impression in July, 1780, that he had done so.² It was fortunate for the Vermonters that the negotiations were conducted with General Haldimand, for he was an able and honorable officer. He was of Swiss parentage, and highly esteemed at home in England. Notwithstanding the enormous detail passing through his office, consequent on his extensive territory, a most complete record was kept. To his orderly methods and ability to present the facts, the reader is indebted for the detailed reports given herewith.

As early as September 9, 1779, Sir Henry Clinton wrote to General Haldimand regarding negotiations by him with Ethan Allen:

The messenger sent with a letter had been taken ill and dispatched it by another, who brought an answer from A, that he would raise 4,000 men, attack the army under [General James] Clinton against

¹ *Smith's Diary*, vol. 7, September, 1781, New York Public Library.

² *Ibid.*, July 5, 1780.

the Indians, and that his magazines &c were ready. [He] Recommends A [Allen] to fall back on Canada, and cooperate with Haldimand or join him [Clinton]; if he thought it expedient, enroll men and name officers. The rumours seem to confirm the report of A's intentions.¹

No evidence has been found that Ethan Allen ever communicated with Sir Henry Clinton or his agent previous to 1780. Clinton intimated to his friends in New York and London that he was in negotiation. Simon Stevens admitted in July, 1780, that he had forged Ethan Allen's name to a letter.² On August 13, 1780, almost a year after the date of Clinton's letter, but possibly only a short time after its receipt, for in those days a messenger was often captured by the enemy or the Indians, Haldimand wrote Clinton (in cipher):

I have taken much pains . . . to discover if anything might be affected with (Ethan) Allen and the people of Vermont. I am assured by all that no dependence can be had in him, his character is well known and his followers or dependants are a collection of the most abandoned wretches that ever lived, to be bound by no laws or ties, . . . if he should be able to collect and arm 4,000 men, I do not think it advisable to trust him with them in this Province . . . for under a pretence of joining the King's troops, . . . seize upon the Province. . . . Allen has never made any overtures to me, if he should in consequence of what has passed between you and him, you may depend I shall improve them.³

The following letter, written as early as March 25, indicates that the leading men among the British were vastly interested in Vermont:

Chief Justice Smyth to Colonel Stuart ⁴

NEW YORK, March 25, 1780

... You will read in the public papers some strange writing sent abroad by people calling themselves the State of Vermont—their claim to independence, to be sure, is as well founded as the pretensions of any of the new-formed States. I am told by Mr. William Smith (one of Sir Henry Clinton's Council, a man of deep knowledge in all the measures which led to the present Rebellion, and intimately versed in the affairs of Vermont) that notwithstanding certain ex-

¹ *Canadian Archives*, Report 1887, B-147, p. 85.

² *Smith's Diary*, vol. 6, July 8, 1780, New York Public Library.

³ *Canadian Archives*, Report 1887, B-147, p. 221.

⁴ *A Prime Minister and his Son from the Correspondence of the 3rd Earl of Bute and of Lt.-General the Hon. Sir Charles Stuart*, K.B., (London, 1925), pp. 166-67.

pressions of resentment against Gt. Britain, Loyalty is at the bottom of this Opposition to Congress, and if so, some use may perhaps be made of these Vermonteses — in short, if Sir Henry shall be inclined heartily and willingly to co-operate with his Council, I verily think they will be able, with his assistance, to touch certain springs hitherto untried, which may produce effects little expected at present; zeal, diligence, and address may do much, and I trust these qualities will not be wanting. . . .

Your very obliged and obedient Servant,

FRED. SMYTH

The British troops having headquarters in Canada were out all of the winter of 1779 and 1780 destroying food supplies and taking cattle from the settlers in New York along Lake Champlain and Lake George.¹ Recruiting among the Loyalists of Vermont, for service in Canada, was encouraged by the King, and General Haldimand was advised by the Minister March 17, 1780, that the King considered it of 'vast importance' to win over Vermont, 'though it should be attended with considerable expense.'² On March 24, a party had gone down into Vermont to obtain intelligence and endeavor to induce Vermont to join the British. Persons engaged in this service were promised great reward. The emissaries were to inform any of the leaders of the State that, if they 'will come in or bring the state to acknowledge their lawful sovereign,' they will be rewarded and the State 'will be set off in a Province by themselves.'³ Ira Allen tells us that 'The first information that the people of Vermont heard, that the British Generals in America thought to avail themselves of an advantage in the disputes that subsisted between the claiming states and Congress, on the one part, and Vermont on the other, was contained in a letter from Colonel Beverley Robinson, dated New York, March 30th, 1780, directed to Colonel Ethan Allen, which was delivered to him in July in the street in Arlington. Mr. Allen perused the letter, then told the bearer that he should consider of it, and that he might return.'⁴ Robinson, who was acting under instructions from Sir Henry Clinton, wrote 'I can make no proposals to you, until I know your sentiments.' Ethan exhibited this letter to Chittenden, his

¹ *Canadian Archives*, Report 1887, B-54, p. 275.

² *Ibid.*, B-44, pp. 8-19.

³ *Ibid.*, B-111, pp. 145-46.

⁴ Ira Allen's *History of Vermont* (London, 1798), p. 150.

brother, and one or two others. It was decided to make no reply to it.

At this time there resided in Albany a Tory surgeon named Dr. George Smyth; Sir John Johnson on April 6, 1780, recommended Dr. Smyth and his son as Loyalists to be trusted to General Haldimand,¹ who moved at once to secure Smyth and promised him a handsome reward.² Smyth began to furnish information to Haldimand regarding New York and Vermont affairs; signing his communications 'Hudibras.' He knew the leading men in the two States and is mentioned here because he took a prominent part in the negotiations with Vermont. Smyth was suspected in Albany and wrote Haldimand for permission for himself and family to go to Canada.³ Before this was received, he was arrested in Albany and confined in jail.⁴

On August 12, 1780, Justus Sherwood transmitted to General Powell the information that Vermont had made demands on Congress, and added that he had 'long been acquainted with Ethan Allen and most of the leading men in that country,' and he would be 'exceedingly happy' if he could help bring those 'deluded people to their right senses, . . . which I think, may be done by buying their leaders.'⁵ In September Major Rogers, a British officer, wrote to Haldimand's military secretary, Captain Mathews, '[Ethan] Allen of Vermont declares that, if the Congress will not allow him to have an independent state, he will join them that will.'⁶ William Marsh of Manchester, formerly a Green Mountain Boy, had joined the British and on October 10, 1780, wrote Haldimand in detail about Vermont and expressed the opinion that its people could be induced to join the Crown. He wrote, 'I can propose a way to open a correspondence with their General [Ethan] Allen, and their Governor Chittenden.'⁷

When Haldimand received Chittenden's letter of September 27, 1780, requesting an exchange of prisoners, Captain Mathews, enclosing the letter, and the one from Marsh, wrote in October to Sherwood who was to bear a flag to Vermont:

If you think Mr. Chittenden's inclinations lead to an accomoda-

¹ *Canadian Archives*, Report 1887, B-158, p. 116.

² *Ibid.*, B-159, p. 65.

³ *Ibid.*, B-117, p. 179.

⁴ *Ibid.*, B-158, p. 142.

⁵ *Ibid.*, B-161, pp. 107, 110.

⁶ *Ibid.*, B-160, p. 62.

⁷ *Ibid.*, B-161, pp. 150, 152.

tion his letter is an opening which the General will improve by giving him an opportunity of sending a person to treat . . . if you think his wishes are as suspected by Mr. Marsh.¹

In October, a letter was dispatched by the British to Ethan Allen concerning the exchange of prisoners, but the bearer was pursued and destroyed the letter.² Haldimand, in acknowledging Chittenden's letter of September 27, wrote:

The motive of humanity at large . . . would induce me to accede to your proposal of an exchange of prisoners. Considering yours as a separate state, . . . If you will send a proper person with full powers to Major Carleton at Crown Point or to St. Johns . . . I shall authorize him to receive him.³

On October 25, 1780 Haldimand wrote to Lord Germain:

Your Lordship's desire and my knowledge of the advantage it would be to the King's service to reclaim that people, . . . neither money or pains shall be wanting, but they are so deceitful a people, that I cannot help being very doubtful about the success of it.⁴

In another letter, of the same date, marked 'private,' he wrote Germain of his fear of a revolt in Canada if the enemy appeared.⁵ On October 28, 1780, Haldimand received the report of the party of soldiers who burned Royalton, Vermont, called in the report 'Royal Town,' which read:

I burned twenty eight dwelling houses, thirty two barns full of grain and one new barn, not quite finished, one saw mill and one grist mill, killed all the black cattle, sheep, pigs &c. of which there was a great quantity. There was but very little hay. We burned close to a stockaded Fort, wherein there was a Captain and 60 men, but they could not turn out after us. . . . I got 32 prisoners and 4 scalps.⁶

In answer to Chittenden's request for the exchange of prisoners, General Haldimand decided to send a trusted agent to meet General Ethan Allen, commander of the Vermont militia. He selected a former Vermonter, an avowed Loyalist, Captain Justus Sherwood, who, when the war with England was declared, raised a company of Royalists and joined the British forces in Canada. He had resided many years on the Grants and knew Ethan Allen intimately. He was a man of

¹ *Canadian Archives* B-179, p. 1.

³ *Ibid.*, B-175, p. 156.

⁵ *Ibid.*, B-54, p. 410.

² *Ibid.*, B-133, p. 261.

⁴ *Ibid.*, B-54, p. 378.

⁶ *Ibid.*, B-111, p. 197.

character, educated beyond the average of those times, brave and trustworthy. It will be noted that he visited Vermont while the Legislature was in session at Bennington. Haldimand had trusted him with a more important negotiation than the exchange of the prisoners. He left Canada October 26, with the intention of conferring with Ethan Allen in command at Castleton. Before recording Haldimand's instructions to Sherwood and Sherwood's journal, events that happened while he was on the mission will be narrated. Ethan Allen wrote Major Carleton:

Every respect will be shewn your flag and no hostilities will be permitted on my part . . . Your letter with General Haldimand's forwarded by express to Governor Chittenden and I make no doubt some proper person will be appointed to settle a cartel with you as soon as possible.¹

On October 31, 1780, Carleton wrote Haldimand:

They [Vermonters] have from twelve to fifteen hundred men in and about Castleton. There is a body of 500 militia encamped between Fort George and Fort Edward and Mr. Schuyler has demanded 500 Continentals to protect the frontiers. . . . They have for these three weeks past [according to Major Clark] been in hourly expectation of an attack from me. At four o'clock this evening Major [Isaac] Clark arrived . . . with a flag. . . . The Major desired to speak to me alone. He began by telling me he was married to Governor Chittenden's daughter, [they were married by Governor Chittenden January 18, 1779] that he was a representative of the State and of the Privy Council, that he knew of the Governor having wrote you, and pressed himself so much upon me, that I had the greatest difficulty to avoid shewing any suspicion of him. . . . He did not once mention the idea of any exchange. I told him I waited the arrival, of a person from Canada to furnish me with a list, but he was, or appeared to be so taken up with the other scheme, that I could with difficulty draw his attention to that. . . . I urged the advantage of a personal interview [in his letter to Genl. Ethan Allen] and pledged my honor for his safe return. I believe your Excellency's wishes on this subject will be fulfilled as from what Major Clark said, they are exasperated against New York and are heartily tired of being in these constant alarms.²

From Bennington, Ethan Allen wrote Carleton on November 4, 1780, that he would 'have been happy in waiting on you in person had not other gentlemen been appointed.'³ On

¹ *Canadian Archives*, B-175, p. 46.

² *Ibid.*, B-133, p. 276.

³ *Ibid.*, B-175, p. 53.

November 6, Chittenden wrote Haldimand that his letter had been laid before the Legislature 'and in consequence have dispatched Col. Ira Allen and Major Joseph Fay with full and ample powers to settle such cartel.' On November 9, Haldimand wrote Carleton a private letter, approving of his acting cautiously with Clark, mentioning the fate of André, and that the presence of Sherwood at Castleton made any proposals to Clark very dangerous. 'If Mr. [Ethan] Allen and the other principal men of Vermont are desirous of this accommodation, they will not fail to improve the opportunity,' he wrote, adding that, if Ethan Allen would consent to an interview, 'the advantages held out to him are such as I think he will scarce decline.' Haldimand would not agree to a cartel, fearing Washington, whom he had refused, would learn of it and frustrate his scheme. About this time Major Carleton was succeeded by Lieutenant-Colonel St. Leger as commander at St. John's.¹ On the same day Haldimand wrote Sir Henry Clinton: 'Negotiations with Ethan Allen, . . . necessity of caution in view of the sad fate of Major André. Cannot officially enter into a truce with Vermont, but hostilities will be avoided as much as possible.'²

On November 15, 1780, Carleton wrote Ethan Allen that owing to the lateness of the season, as the prisoners could not be exchanged before spring, the General instructed him to end the truce.³

On November 20, John Munro, of Shaftsbury, who had been James Duane's agent in the early struggles between Vermont and New York, but at this time a Loyalist in Canada, wrote to headquarters that 'no confidence can be placed in these [Vermont] gentlemen, "called the Green Mountain Boys."' He had been at open war with them for years. 'This Major Clark who comes with a flag was my woodcutter at home, none have power or authority.'⁴ The negotiation of a treaty with Vermont was a general topic of conversation among the Royalists at St. John's, and this fact, with Sherwood's non-return by November 22, caused much anxiety on the part of General Haldimand. Carleton suspected that Marsh was too loquacious and did not confide in him.⁵ The British were ex-

¹ *Canadian Archives*, B-135, p. 157.

² *Ibid.*, B-133, p. 289.

³ *Ibid.*, B-133, p. 292.

⁴ *Ibid.*, B-135, p. 157.

⁵ *Ibid.*, B-161, pp. 185, 190.

pecting an invasion the following spring and urged the home Government to send reinforcements and supplies. They had no confidence in the French Canadians and expected that, should a few French soldiers be of the invading army, the Canadians would join those forces.¹ Haldimand's instructions to Sherwood are of interest:

Sensible of the injustice which individuals in the New York government attempted against them . . . I always regretted the measures which were taken by the Government of New York and felt compassion for the unhappy people who were the objects of them. . . . [as in 1773, when Governor Tryon requested him as commander-in-chief in New York to send troops to quell what he called the riots in Vermont, Haldimand had refused]. I authorize you to give these people the most positive assurances that their country will be erected into a separate province independent and unconnected with every government in America. . . . I will therefore act towards them with the sincerity of a soldier unpracticed in deceit . . . and would be sorry to engage them in any enterprise which might prove ruinous to them. I am sensible that their situation is delicate, that the utmost caution is necessary not only with regard to the powerful enemies which surround them, but with regard to their own people. . . . I am so much convinced of the present infatuation of these people and so far removed from expecting that the people with whom you negotiate will betray any trust reposed in them, that I agree that this negotiation should cease and every step that led to it, be forgotten, provided the Congress shall grant the State of Vermont a seat in their Assembly and acknowledge its independency. . . . I hope and expect they will act towards me with the same frankness and sincerity.

He further promised that the Governor and Council could appoint the lieutenant-colonels of all troops raised and that Ethan Allen would be the colonel. The pay would be the same as all other provincial troops. He promised in addition 'gratuities' to those 'who shall exert themselves in promoting the happy re-union.'²

Justus Sherwood returned on November 31. The following report to General Haldimand on his mission to Vermont is highly important:

MILLER BAY, 26th Oct. 1780

Rec'd his Excellency's instructions for a negociation with the State of Vermont, and Major Carleton's order to proceed to that

¹ *Canadian Archives*, B-55, p. 27.

² *Ibid.*, Q-18, p. 155; also Vermont Historical Society, *Collections*, vol. 2, p. 87.

State with a flag. Sett off at 7 o'clock in the evening with a drum, fife and five privates, with Capt. Chipman and his servant in a cutter, went about six miles against a strong head wind. *27th*, embarked at 6 o'clock. Still a head wind. Encamped six miles above Ticonderoga. *28th*, embarked at 4 o'clock, at one landed Chipman,¹ his servant and baggage at Skeensborough, then proceeded to the Head of East Bay, landed at four, afternoon. Set off immediately with the drum fife and two men, leaving a flag and three men with the cutter, arr'd at 7 o'clock at Col. Herrick's Camp, a frontier post of 300 men. At the Mills about 4 miles west of the Block House in Castleton was blind folded and led to Col. Herrick's room; he demanded my business; I informed him I was sent by Major Carleton to negotiate a cartel for exchange of prisoners, that I had dispatches from his Excellency, Gen'l Haldimand and from Major Carleton to Gov'r Chittenden and Gen'l Allen.

Col. Herrick said Gen'l Allen commanded at Castleton and that my dispatches should be forwarded without delay. At about 11 this evening I rec'd a message from Gen'l Allen. *29th*, had an interview with Gen'l Allen; after breakfast removed to Major Clarke's house, Gen'l Allen summoned a council of ten field officers and informed them that I was sent to negotiate a cartel for exchange of prisoners but as he found my instructions was somewhat discresonary he desired (previous to entering on business) to have a short conference with me by himself, that he might clearly understand my ideas and assist me in explaining my business to them; to this, they consented, I walked out with him and after much conversation informed him that I had some business of importance with him, but before I communicated it must request his honour as a gentleman, that, should it not please him, he would take no advantage of me nor even mention it while I remained in the Country; he said he would if it was no damd Arnold plan to sell his country and his own honour, by betraying the trust reposed in him. I replied, my business with him was in my opinion of a very honourable nature, but as I did not know how far his opinion and mine would differ, should insist on his most sacred promise that in whatever light he might view it he would not expose me. To this, after some consideration he consented. I then proceeded to tell him that Gen'l Haldimand was no stranger to their dispute with the other States respecting jurisdiction and that his Excellency was perfectly well informed of all that had lately passed between Congress and Vermont, and of the fixed intentions of Congress, never to their being a separate State, that from Gen'l Allen's common character, his Excellency Gen'l Haldimand conceived, he was a man of too much good sense and solid reason [not to realize] that Congress was only duping them

¹ Chipman had commanded about eighty of Warner's regiment at Lake George. He had been taken in defense of that place. He was allowed to return to the American lines on his promise to send back any imprisoned British Captain the Commander-in-Chief might name or return to Canada. He did neither and dishonored his name.

and waited for a favourable opportunity to crush them, and that this was a proper time for them to cast off the Congress yoke and resume their former allegiance to the King of Great Britain, by doing which they would secure to themselves those privileges they had so long contended for with New York.

I then made known to him the Gen'l's proposals, then expressed my own anxious desire that they would accept of them assuring him that it was not done from any selfish motives of my own, but the tender sentiments of regard and friendship, which I felt for the people of Vermont that induc'd me to wish them to accept of those proposals and to save themselves from that general calamity that seemed to threaten the other States. Gen'l Allen observed that the proposals, so far as they respected his personal promotion, had not the weight of a straw with him, that he was not to be purchased at any rate, that he had been offered a Lt. Col's Commission, on condition of changing sides, while in captivity, which he refused, as he ever meant to be governed by the strictest rules of honour and justice but that since the proposals seemed materially to concern the whole people of Vermont, whose libertys and propertys for a number of years past was much dearer to him than his own life, he should take them into very serious consideration. He then said we must go in as we had already been too long together, that I might rest assured our present conference should remain a secret; he advised me to tell the Council that I had explained my business respecting the cartel to him and desire him to assist me in communicating it to them. We then went in and he laid Gen'l Haldimand's and Major Carleton's letters before the Council, which was read by Major Fay, they appeared well satisfied with the contents of them, except that part of Major Carleton's letter respecting the limits of the truce, some of them suspected a design on the frontiers of New York, while the negotiation was on foot with Vermont, to this I became a pledge on the part of Govt. that no movement would be made on the offensive by Major Carleton and informed the Major of it in a letter by Gen'l Allen's flag; ¹ after this Gen'l Allen wrote circular letters to all his officers, commanding frontier posts informing them of the truce and cessation of hostilities, commanding them to call in all their scouts and not to suffer any more to be sent out during the present truce. Those letters was read to me in Council; about one o'clock the Council broke up and Major Fay was sent express with my dispatches to Bennington. I had another short conference with Gen'l Allen this evening. 30th, conversed with him till 2 o'clock, free from any restraint; informed him, I had brou't written proposals and had secreted them but could procure them if he thought proper, he advised me to let them rest, said he would send me Col. Ira Allen and Major Fay, that he would open the business to them so far that I might venture to show them the proposals: but said I must not communicate to them the whole of our conversation, must be very cautious not to exhibit the smallest idea to them of anything [more]

¹ This was when Major Isaac Clark called on Carleton, page 193.

than neutrality nor even that, to take place, except Congress force them to it by their tyranny and obstinate refusal to grant Vermont her just and lawful claims.

The result of our several conferences is as follows:

Gen'l Allen says he finds himself surrounded with enemys on every side, the most inveterate is New York, that he is heartily weary of war and wishes once more to enjoy the sweets of peace and devote himself to his philosophical studys, that he is sincerely attached to the libertys of America and cannot cherish the remotest thought of bearing arms against his Country, while virtuously contending for liberty and that nothing (short of the same tyrannical proceedings from Congress towards Vermont, which Congress at first complained of suffering from Great Britain, and the manifest appearance of the total subversion of libertys and propertys of many thousands of honest people now inhabitants of Vermont) should ever induce him to harbour the most distant idea of deviating from the cause he has been so long engaged in and for which he has been so great a sufferer, and was he ever so much inclined to take part with Britain, it is not in his power to do so at present, for in the first place, should he now make a declaration of that nature his own people would cut off his head, but allowing he could reconcile them to such a plan they are by no means able to defend themselves, nor is Gen'l Haldimand at present able to send a force sufficient to protect them, that he is positive the neighbouring provinces would on such an occasion pour in upon them thirty thousand men in thirty days time. That being fully persuaded Congress never intends to acknowledge the jurisdiction of Vermont, but on the contrary has pre-determined to support the claims of New York, he intends shortly with the assistance of the Governor and Council to publish manifestos setting forth the tyrannical proceedings of Congress and the necessity Vermont is under of declaring herself a neutral State. That after these have had time to circulate, should Congress continue obstinate, Vermont will declare herself a neutral power free and independent of any other power on earth and will invite all people to a free trade with her. He expects this will draw on him the resentment and force of Congress, he shall closely watch their motions and as soon as he finds they are raising a force against him, he will march with his own brigade and take possession of Albany and invite all friends to the libertys of America to join him. He is confident he shall soon be reinforced by some thousands from the frontiers of the neighbouring Provinces already well attached to the State of Vermont, especially the County Berkshire, which is the Northern frontier of Massachusetts, has a well regulated militia of near 4,000 men, and from their vicinity and likeness of manners are very anxious to join and make part of Vermont State.

If he should be obliged to retreat from Albany, he will make a stand at Ticonderoga; then, rather than be ruined by Congress, will ask help from Canada, and thinks it will be much for the interest of Govt. that Gen'l Haldimand, then has a force not only sufficient to

support him, but to establish a post at Albany and another at No. 4,¹ or Bennington, which he thinks will require at least 20,000 men, this he thinks will be the readiest method of bringing the whole contest to a speedy decision in case Great Britain is able to command the Seas and prevent a French invasion by the way of St. Lawrence. But if Britain is not able to do this, he has no dependence on any protection Gen'l Haldimand can offer. Hopes, therefore, that he will consider how far he is able to support Vermont. Should he have any proposals to make hereafter to Gen'l Haldimand, they be nearly as follows: He will expect to command his own forces; Vermont must be a Gov't separate from and independent of any other Province in America, must choose their own Civil officers and representatives, be entitled to all the privileges offered to the other States by the King's Commissioners; The New Hampshire grants as chartered by Benning Wentworth Governor of New Hampshire must be confirmed free from any patents or claims from New York or any other Province; he desires me to inform his Excellency that a revolution of this nature must be a work of time, that it is impossible to bring so many minds into one channel on a sudden, hopes he will not be anxious to hurry matters on too fast, as that will certainly ruin the whole.

He says it is not in his power to wait on Gen'l Haldimand or Major Carleton as that would create too much suspicion. That he dare not at present send or receive any letters on the subject, would therefore, propose to keep up the negociation by flags, would therefore, recommend that Gen'l Haldimand's flags be always sent with some business to the State of New York, as well as to Vermont, thinks this would prevent suspicion, desires this may be kept a secret from all the world, but those already employed, except his Excellency should think it absolutely necessary to employ another, as he is certain N. York has their spys in Canada constantly and are at present very suspicious of his and Vermont's conduct.

If Congress should grant Vermont a seat in that Assembly as a separate State, this negociation to be at an end and be kept secret on both sides, wishes however, that the cartel for exchange of prisoners may be established and observed with honour and if the officers, prisoners in Canada cannot be exchanged the ensuing winter, he requests they may have liberty on parole and engages that all officers belonging to the army in Canada shall have their parole immediately and the soldiers have such enlargement as can be given with safety.

About 3 this afternoon, Gen'l Allen parted with me for Bennington, left me with one Capt. Parker, a very civil gentleman, with instructions to treat me with all possible politeness. This evening I had notice that Major Ebenezer Allen's scouts had discovered 20 Indians in Pittsford, and that another scout of his had discovered that Major Carleton had returned with his whole detachment from Miller's Bay to Ticonderoga and was drawing some boats over the landing, had sent a detachment on the east side, etc. I was soon after

¹ Charlestown, New Hampshire.

put under the strict charge of two centrys. Some said my life should answer for the consequences, some said one thing and some another, but all conspired to make me very uneasy. I wrote to Major Allen assuring him of Major Carleton's good faith informed him that to dispute his good intentions was disputing the faith of the Govern't as he acted by the Gen'l's order. As to the Indians, if there had been any seen, they must be stragling partys from Mr. Houghton, if so they would not attempt anything, except hunger necesitated them to it. Advised him to watch their motions and rest assured that if they destroyed any property belonging to the inhabitants, I would give security for the payment.

Requested him to let me know whether I could be of any service to him on this occasion, etc., to this I got no answer, and soon after found that the whole was a farce of Major Allen's own contriving on purpose to alarm the country. *31st* Rec'd an order from Major Allen to march with all my party into the Country under the charge of Capt. Eli Brownson and 20 men, Capt. Brownson informed me, that I must not speak to any person, without his knowledge, as that was his positive order from Major Allen; march'd this day 28 miles to Pawlet, all this day I found the people much alarmed and the roads full of militia marching up in consequence of expresses from Major Allen. The people appeared much exasperated was very crabed and insulting to me. *Nov. 1st.* Marched 10 miles in a tedious snow storm. *2nd.* marched 20 miles to Arlington; this evening rec'd a message from Gov'r. Chidenton, expressing his disapprobation of Major Allen's conduct and his orders to Capt. Brownson, that I should be treated in a manner, that an officer of a flag had a right to expect and by no means any longer to keep me under the least restraint. *3rd.* This evening Major Clarke returned from a flag to Major Carleton and his report much calmed the doubts of the populous. *6th.* rec'd an order from Govr. Chittenden for my departure. *7th.* hired horses for myself and party, set off for Castleton, escorted by Capt. Brownson. *8th.* A snow storm this day. arrived at Castleton. *9th.* Col. Allen and Major Fay arrived as Commissioners to negotiate the cartel, forbid by Major Eben Allen to proceed till the 11th, towards night, then set off and went to East Bay found it froze about 2 inches thick. *12th* broke the ice about 3 miles. *13th* broke ice 4 miles.¹ *14th* Allen and Fay turned back and said they would come to St. John's by ice as soon as possible. I had the day before shewn them the Gen'l's proposals, after perusing them and discoursing largely on the subject, we burned them.

They then gave me the pamphlets and other papers from Gen'l Allen with strict injunctions to secure them, every night on shore for fear of partys from the State of New York, they insisted and I promised that when they came in, I would show them all my authority and instructions from Gen'l Haldimand to treat with them; after renewing my promises to use my influence with the Gen'l that their officers should have parole, they left me with 10 days bread and

¹ The winter of 1780-81 was very severe.

beef. 16th 3 miles to the Fidler's Elbow, from the 17th to the 19th, broke the ice about 11 miles to the open Lake. This evening I sent the cutter forward with orders to proceed as fast as possible to Ti. and there wait for me then went back myself and one man by land to Skeensborough bou't 5 bushels of Indian corn and as much provision as I could from the inhabitants and borrowed 30 lb. of pork from Ensign M^cDonald, in the morning carry'd the corn and provision on our backs by land 3 miles to So. Bay, there took a skiff which was the property of Mr. Stockwell and sent him word that necessity obliged me to take it, and that Mr. Jones would pay him for it or I should send him as good a one in Spring; from this to 21st, proceeded no farther than Chimney Point, by reason of waiting one day for Capt. McDonald's family; here met Mr. Marsh with a flag to Gen'l Allen, advised him to turn back, he said he could not, sent a letter by him to Gen'l Allen, keeping a copy etc. 21st took in 2 men, 4 women, 4 children, at Miller's Bay, they had been four days without provision. I now found our provision very short having been some days on half rations, and now but 30 rations of bread and meat to divide among 25 hungry persons, with half a pint of Indian corn a day to each person. 22nd proceeded 2 miles against a strong head wind and a tedious snow storm, obliged to lay by the rest of this day. 23rd. a favourable wind; ran about 60 miles to Tea Kettle Island. 24th arrived at Pt. Aux Fer and rowed this night to Isle aux Noix. 26th about 10 o'clock this morning arrived safe at St. John's, waited on Major Carleton delivered him my dispatches. 29th set off with the Major for Quebec. 31st arrived at Quebec.

J. SHERWOOD¹

On December 30, 1780, Haldimand wrote Chittenden of the appointment of Captain Sherwood to arrange for the exchange of prisoners, adding, 'It is my wish that circumstances may hereafter admit of a cartel being established upon a more permanent footing than I can at present enter into.'² The next day he wrote St. Leger that Sherwood would go to Isle aux Noix, adding:

direct Major Dundas to send all persons of whose political principles he entertains the least suspicion, to reside at St. Johns, while the flag remains at Isle aux Noix, . . . have prepared a convenient house without the Fort for the reception of the flag, where Captain Sherwood will likewise reside and be left as much alone with the commissioners as possible.³

On January 1, 1781 he wrote again:

The business I have at present committed to his care may require his attendance for some time at the Isle aux Noix. . . . You will

¹ *Canadian Archives*, B-176, pp. 14-25.

² *Ibid.*, B-175, p. 165.

³ *Ibid.*, B-135, p. 172.

please to direct that no recruiting parties of any corps or denomination whatever be permitted to remain at the Isle aux Noix, or any post beyond St. Johns on any pretence whatsoever.¹

On January 11, Haldimand wrote Sir John Johnson, 'The enemy planning a movement of which Albany is the seat, to be directed for the reduction of Vermont.'² Dr. Smyth wrote to Haldimand January 31, from Albany, '[Ira] Allen at Albany to consult about Vermont. Vermont people not true to either side.'³ Major Dundas on February 7, wrote him, 'Will send spy to Vermont,' and on the 11th, he wrote again, 'new state of Vermont in confusion, affairs there turning in favor of Government.'⁴ The mutiny of some Continental troops early in 1781 seemed to the British in New York to favor their prospects. Smith wrote in his diary, under date of February 10, 'I am led to imagine that Stark is coming over to us and that he is now going to join Vermont.' As Sherwood wrote in his journal, Ira Allen and Joseph Fay were prevented from proceeding to Canada by the ice. In February, Ira Allen was forming the unions and Jonas Fay and Isaac Clark were appointed and started, but could not get through the ice in Lake Champlain and returned home. They had been expected. Sherwood wrote to headquarters: 'I am as jealous of [Ethan] Allen and his party and as sensible of their inherent deceit as any man can be. . . . I will be on my guard when the commissioners arrive.' He again wrote, on February 27, that Crowfoot, a spy, had just returned from Arlington with written and verbal messages. Crowfoot delivered a short notice to Ethan Allen of the appointment of Major Dundas and Sherwood to negotiate the exchange of prisoners. Allen had returned a verbal answer that he desired the exchange, but letter must be kept secret.⁵

On February 23, 1781, Ethan Allen received the second letter written by Beverley Robinson, dated at New York, February 2; and on March 9, transmitted both of Robinson's letters to the President of Congress, stating, 'They are the identical and only letters I ever received from him, and to which I have never returned any manner of answer, nor have I ever had the least personal acquaintance with him, directly

¹ *Canadian Archives*, B-135, p. 175.

² *Ibid.*, B-159, p. 136; also British Museum, Additional Manuscripts 21819.

³ *Ibid.*, p. 304.

⁴ *Ibid.*, pp. 69-71.

⁵ *Ibid.*, pp. 45, 47.

or indirectly.' ¹ Ira Allen as a 'private gentleman' sent a letter at the same time to the President of Congress, sending copies of the acts to extend Vermont's boundaries. These letters were captured by the British and never reached Congress. On April 2, Smith's diary records:

The Commander-in-Chief sends for me. I returned papers captured in mail respecting Vermont; and upon these I gave it as my opinion that Vermont studied a breach with the Congress to open a door to agree with Great Britain.... It must embarrass [Ethan] Allen much that we have them back, Congress will be more jealous of him and that may oblige him to advance to us more freely.

On April 21, he wrote:

Rivington's paper today shews Dr. Witherspoon [President of Princeton] and William Livingston truckle to the Vermonters to get lands. I caused the intercepted letters [of the Allens] to be published to raise the jealousies of Clinton, Duane et al in New York.²

Haldimand wrote in cipher to Clinton:

Quebec, February 28. Have been put upon my guard, ... [by Dr. Smyth] against the people of Vermont, (with whom I have been some time in treaty) who seek to deceive both the Congress and the Royal Army. I shall spare no pains to work upon those people, and if I succeed, I shall not fail to tell you of it, but I have great doubts.³

This was received by Clinton on May 10. From St. John's on March 5, Sherwood wrote:

It is reported the inhabitants on the frontiers are moving their families and effects out of the state of New York into the state of Vermont, with an expectation that Vermont will soon come to some kind of settlement with the King's government.⁴

On March 11, at Isle aux Noix, Sherwood wrote:

Mr. Pritchard [spy] arrived here last night with one Thomas Johnson, prisoner from the eastern part of Vermont, ... Exerted himself to convince me that he is for Government and that he could be instrumental in bringing all the east part of that state (at least) to neutrality, he says they all wish for it and would gladly accept it. He says [Ethan] Allen has resigned his commission and that New York have relinquished their claims on Vermont.⁵

¹ *Canadian Archives*, Q-18, p. 173; also Vermont Historical Society, *Collections*, vol. 2, p. 104.

² *Smith's Diary*, vol. 7, New York Public Library.

³ *Canadian Archives*, B-147, p. 292.

⁴ *Ibid.*, B-176, p. 50.

⁵ *Ibid.*, B-176, p. 55.

Johnson was a friend of General Bayley and informed him later of the negotiations by the Vermonters. Cornwallis was kept informed regarding affairs in Vermont. Clinton wrote him March 5, 'Ethan Allen defies Congress.'¹ From Quebec on April 12, Haldimand informed Sir John Johnson by letter that he had received information that a warrant had been issued in Albany for the arrest of 'Hudibras' [Dr. Smyth] and that Smyth was 'just setting out for Vermont to take refuge with a Major [Joseph] Fay.'² William Marsh was at Isle aux Noix April 21, and in a letter to Haldimand urged that he make a peaceful offer to Vermont and, if not accepted, that he have 'parties harass their frontiers.'³

On April 26, Chittenden notified Haldimand that he had sent Jonas Fay and Isaac Clark in February, but on account of the ice they were obliged to turn back; that he had 'commissioned Colonel Ira Allen and Major Isaac Clark with full and ample powers to negotiate the within proposed cartel.'⁴ Why Chittenden's son-in-law, Clark, should have been included is difficult to determine. It is quite sure Ira Allen had no intention of allowing him to accompany him, but acquiescing to his appointment would commit Clark to silence for his own safety. Clark was not informed of Allen's plans:⁵

The business was necessarily of a private nature; nothing could be written with safety to Vermont; one person was better than more, as cross questions might arise, and no one could devine what questions and propositions might come from the British, respecting the past and future conduct and intentions of the principal characters of Vermont. Besides there was much danger in the negociation to the Governor, Council, and especially their agent, from the spies of the claiming States and Congress, who would labor hard for the proof of a criminal correspondence.⁶

Smith's diary for April 29, reads:

When I saw him [Clinton] on Friday he talked obscurely on that subject [Vermont] and discovered plainly that he did not understand it. Yet he has all the jealousy of folly, for he started at the supposi-

¹ American Manuscripts, Royal Institute, London, vol. 2, p. 252.

² *Canadian Archives*, B-159, p. 141.

³ *Ibid.*, B-161, p. 269.

⁴ *Ibid.*, B-175, p. 70; also photostat of original in British Museum, in the University of Vermont.

⁵ Williams, *History of Vermont* (Burlington, 1809), vol. 2, p. 214.

⁶ Allen's *History of Vermont* (London, 1798), p. 162.

tion that Vermont was dealt with and moved by Haldimand and took to himself that credit, weakly enough, as he knows I know he never wrote but by Beverly Robinson whose letters Ethan Allen gave up to Congress without any answer.¹

On April 28, Smith had submitted to Clinton 'notes' respecting Vermont, and several weeks after, he saw in the office of Clinton's secretary, ready to be sent to the Minister in England, a copy of these notes with a letter from Haldimand ('that he finds Vermont playing a double game but he will push them to a decision'), as well as Ethan and Ira Allen's letters to Congress, copies of acts extending Vermont's jurisdiction, and Townsend's intelligence. Smith wrote in his diary:

How culpable the detention of the Packet. If ministers should want the aid of Parliament in the affairs of Vermont, nothing can be done this year. . . . Parliament risen before Packet gets home.

An entry in Smith's diary, under date of March 27, 1781, may give his reasons for remaining loyal to the Crown:

Mr. Leaming, the Episcopal Minister of Norwalk, tells me that there are those who suppose I had transferred my Estate before the war to the Bank of England as the cause of my attachment to the British cause, which he as a Friend has put down as a lie of George Clinton's propagating. On the other hand he says Whiggs have acknowledged themselves suspicious of their own cause from my being on the side of the Crown in the controversy.

I am not dismayed by the jealousies or slanders of independent Whiggs or the real Tory. It is the consequence of a firm attachment to principles disliked by the violent of both parties and the more by myself, for they are more likely to be sound — *In medio satissimus ibis?*

The following notes on Vermont by William Smith, author of the history of New York and one of America's ablest men, are singularly prophetic:

NOTES RESPECTING THAT PART OF THE COUNTRY CALLED VERMONT

This is a large territory of 6 or 7 millions acres which before the Royal decision of the 4th July 1764 adjudging it to belong to New York was claimed both by New York and New Hampshire.

The Disputes affected all the lands bounded South by the Massachusetts and North by Canada, East by Connecticut River and West by a line at 20 miles East of the Hudson.

¹ *Smith's Diary*, vol. 7, New York Public Library.

It is of no use to show the interested views of Mr. Benning Wentworth, the Governor of New Hampshire for asserting this country to be within his Province. His Government was first erected in 1742, the difference is 78 years.

Mr. Wentworth had no sooner laid out a Township in 1749 which after his own name was called Bennington, than Admiral Clinton, the then Governor of New York, with a becoming fidelity to his trust, animadverted upon his conduct, resolved to check the encroachment.

The two Governments engaged to desist from any disposition of the soil till the Crown should pronounce upon the contested right but Mr. Wentworth in that very year granted another Township, two more in 1751, as many in 1753, three in 1754, sixty in 1761, eight in 1762, thirty-seven in 1763 and five in 1764. In all 127.

New Hampshire hoped by this dishonorable violation of the contract made with the Admiral Clinton, to interest such numbers under her grants as to compel the Crown to support them from motives of policy, for the sake of the common tranquility but the artifice had no effect for it was declared to be the right of New York to extend to Connecticut River.

It then became necessary to apply to the Great Seal of New York for a title and between the year 1764 and the commencement of the rebellion an infinite number of patents issued as well to officers and soldiers of corps reduced at the end of the war, as to a multitude of others, disposed to settle in a country now no longer exposed to ravages of the French and their Indian allies.

Of the New Hampshire grantees, some asked for confirmation under New York and such as did, had them but there were a few who, unwilling to subject their possessions to the New York quit rents, asserted their title to be good and when cast at law, fled to force for defence. These living at Bennington and in the neighborhood of a range of hills called the Green Mountains, took the name of Green Mountain Boys and when the rebellion broke out were among the first to seize the forts at Ticonderoga and Crown Point and make irruptions into Canada.

These two classes taken together bore but a very small proportion of the purchasers of shares in the townships granted under the seal of New Hampshire, for the original patentees being of the lower ranks and the policy being to interest great numbers for mutual support of a defective title, the rights as they were called (that is to say 320 acres to a right) were hawked thru the Provinces and sold for very small sums and when the signification of the King's Pleasure had rendered the New Hampshire title a bubble, the generality who had not yet begun to cultivate neglected to ask for a better under the Great Seal of New York.

Thus at the breaking out of the war, the inhabitants consisted of three kinds, grantees under New Hampshire, patentees under New York and thirdly such as had wisely covered their Township with Titles under both Provinces.

The general commotion could not but be grateful to the Green Mountain Boys who had conceived an implacable hatred against the Province of New York, the Government of which had necessarily set its face against the spurious claim and was supported by its Legislature and the thousands holding under the patents issued in the course of eleven years prior to 1775. By a law of the Colony, Allen, Baker and other chief rioters had a price set on their heads and this enmity subsisted after the general declaration of independency by the Congress, for Clinton, Duane and other chiefs in the rebellion were interested against New Hampshire and swayed in the new created republic of New York.

There was now a door of hope to the Green Mountain Boys and they had the sagacity to make use of it. They declared themselves a separate State under the name of Vermont on the 15th of Jan 1777 and as such, requested to be recognized by the Congress and for that purpose, like the rest of the Provinces, chose a Governor, Council and Assembly.

Thus possessed within their bounds of all powers, Legislative and Executive, they gave a temporary validity to their claims and set at naught the Courts and Titles of New York, and as it is their interest, it must be their wish to continue the separation.

The jarring claims of these republics being utterly irreconcilable have greatly embarrassed the Congress who perceive risk and ruin by obliging either of them and know not how to please both. It is the interest of Great Britain to keep up the strife and very much so indeed, if by any means Vermont can be not only detached from the Congress but drawn into a co-operation with the King's arms.

That event accomplished, the force of French whiggism must be not only extinguished in Canada but the interior frontiers of New York, New Hampshire and the Massachusetts at the mercy of the co-joined force that may be brought against them from the North.

Vermont seems to be sensible of the importance she has acquired and to be acting a part dictated by her interests. She has certainly terrified the republicans of New York and ungrateful as the cession must be, New York seems to be ready to consent to it and to rid the Congress of all further embarrassment on that score.

But if Vermont should despair of the ability of the Congress to establish the independency of the Continent or distrust their fidelity on the withdrawing of the British Force, she will listen to overtures from the Crown but it is of great importance to fix her dependence by promises that at the end of the rebellion she shall remain separated from New York.

It is natural for that people at present to wear a mask of attachment to the popular principles until they have satisfactory engagements and even if they have had them, to keep it on for some time to come.

Hence the indecision of the public on both sides of the lines respecting the question 'Is Vermont for the King or the Congress?'

Those who are not in the secret, must be perplexed by external appearances.

The rebel leader [Washington?] flatters himself with the belief of her attachment to the Congress because she has assisted that party by signal services and every doubtful transaction seems to be accounted for from her enmity, not to the Congress, but to the republic of New York.

The Loyalist on the other hand is willing to believe what he wished to be true, that a compact is driving between the Government and Vermont and that it is concealed for the moment when the King's army shall ascend the Hudson to the Highland ports and Mr. Haldimand cross the Lakes and being joined by the Vermonters, make a descent upon Albany for a co-operation on the North side of the Highlands with our numerous friends between the Connecticut River and the Hudson.

As the British from Canada cant be expected till the Green forage is up in June, 'tis imagined that Vermont, to prevent irruptions from this side, will keep on her Whig veil till that period arrives.

In their zeal, they overrate information that is at best but equivocal. As (1) the forming of magazines of provisions at Bennington and other places (2) Their frequent flags to Canada (3) Their invitation to settlers with a promise of lands and an exemption from military services and (4) their actual reception of known loyalists flying thither from other places and even of deserters from the Continental Army.

But as was just now observed, all this conduct is as reconcileable with a desire to strengthen their country against the republic of New York and compel the Congress to take them for a 14th State into the Confederacy as with the view of being instrumental to the re-union and their becoming sufficiently numerous and respectable to form another Province under the Crown. The militia amount to about 8000.

The interception of the rebel mail on the 29th March does not totally dispel the mystery. There were found in it two letters to the President of the Congress, one from Ethan Allen who serves in the rank of Brigadier of the Vermont militia and another from his brother Ira Allen, Treasurer, Surveyor-General and one of the Council of Vermont. The former hands over two letters he received from New York in July and February last and the use made of them is to prompt to a decision that Vermont be separated from New York. The latter affects a sullen reserve and contains a compact for uniting to Vermont a large extent of country consisting of the counties of Chesshire and Grafton out of New Hampshire with an act of the Vermont Assembly lately passed for asserting her right not only to a jurisdiction over those countries but expanding it also westerly to the mid channel of the Hudson and a North line from its source to the Partition line of the Province of Quebec in the 45th degree of latitude.

It seems to be difficult to assign a reason for this impair of New

York and New Hampshire, the proprietors of these lands having no sympathy of interests with the Vermonters, titles in the addition on the west being on all hands acknowledged to be solid under New York and in that on the East side of Connecticut River and within 20 miles of it as unexceptionally good under the seal of New Hampshire.

The most probable conjecture is that the new claims are therefore contrived to widen the breach between Vermont and her neighbors and thus prevent the very decision they affected to desire. This is supported by information from the spot, communicated by a messenger from Colonel Wells.

Mr. Wells was one of the first settlers in Brattleboro, a town in the south easterly part of Vermont. On the Royal decision in 1764 he obtained a New York confirmation of his lands, he became a member of the Assembly and Judge of the Inferior Court and was of the majority who refused to confirm the Congressional principles of 1774. From the beginning he was obnoxious to the Bennington rioters and he yielded to the separation from New York after the declaration of independency to perplex the measures of Congress. He is not yet in the confidence of the Vermonters but being a delegate from Brattleboro at the Convention in February for the union of the counties of Cheshire and Grafton with Vermont, is less suspected than formerly by Chittenden, the Governor, the Allens, and others bearing sway in that country. The messenger he sent in, is Mr. Townsend, a young lawyer who stood in high repute with Mr. Clinton, the Titular Governor and other republicans of New York and was rewarded for his zeal by a commission to be clerk of the county of Cumberland in Vermont to which he went about the time of the action at Bennington in 1777 and has since connected himself with Colonel Wells by marriage of his daughter. The change of his principles being concealed from the rebels, he found no difficulty in procuring leave to visit his father on Long Island and a private letter from Colonel Wells being sent in to Mr. Smith he was permitted to come into New York.

His intelligence is that there is a frequent intercourse by flags between Vermont and Canada but that the business is a secret to all except Chittenden, the Governor, and a junto composed of his Council and some other confidants of whom Stephen R. Bradley the Vermont Attorney General and author of the pamphlet entitled 'Vermonts appeal' is one. From this person, both the messenger and Colonel Wells had it that himself and the whole junto were of opinion that the independency of the Congress must fall thru and therefore that Vermont could make no stable agreement except with the Crown and that under this apprehension they were treating with the Government.

Mr. Townsend adds that it was known at the Convention for the late Union with Cheshire and Grafton that the Senate of New York had passed a bill this winter at Albany declaring an ascent to Vermont becoming a separate State and that if Mr. Clinton had not

threatened to prorogue them, the Assembly would have concurred in the measure and that General Schuyler who is of the Senate favored the project but Mr. Townsend did not know till he came to Albany, which he left the 26th of last March that the French minister had interfered in the business. Mr. Benson, Mr. Clinton's secretary, informing him that Mr. La Luzerne had observed to the Congress that his Master covenanted with thirteen Provinces and that if Vermont was admitted to be the fourteenth and agreed to a neutrality with Canada, it afforded ground for suspicion and he did not know what might be the consequences.

It is to be remembered that at the Convention of the towns east of the Connecticut River for their union with Vermont it was required of Mr. Chittenden to inform them of the foundation for a report that took rise last fall of a treaty with Canada and his reply intimated that offers had been made to erect Vermont into a separate State to which he had given no positive answer vaunting at the same time of his delay as being equal in point of utility to an army on the frontiers and he put into their hands copies of letters he had sent to the New England colonies and Mr. Washington purporting that as Vermont was a frontier and to other Colonies a barrier, she would be obliged to make terms for herself unless they relinquished their claims and gave her assistance. Mr. Townshend is of opinion that these letters were written without any expectation of a compliance with the request but the better to reconcile others to the agreement made or intended to be made with the King's General. And the act is the greater because Vermont includes many who as yet are for the independency of the Continent as well as for their own severance from New York and it also deserves attention that the Allens are not fond of the late union with the towns east of Connecticut River, the majority of those inhabitants are supposed to be of this temper and if possible if the Western expansion to the Hudson which was a project of Ira Allen's was intended for a counter balance, it being well known that the people of that part of the ancient County of Albany are in general well affected to the Crown and were on that account despoiled and driven from the County by General Schuyler on Mr. Burgoyne's approach in 1777.¹

On May 2, Lord Germain, in a letter to Clinton, which was not received until long afterwards, wrote:

The private accounts I have seen of Ethan Allen's transactions gives me hopes that he is acting under General Haldimand's direction, and that when the season admits of the General sending up [down] a body of troops into Vermont, the inhabitants will declare for the King, which, with the reduction of the southern provinces, must give the death wound to the rebellion.²

¹ *Canadian Archives*, British Transcript, Colonial Office 5, 1304, pp. 33-45.

² Sparks Manuscripts, vol. 45, p. 57, Harvard Library; also *Carleton Papers*, Royal Institute, London.

Clinton wrote Germain from New York the same day:

But I must beg leave my Lord, in this place to observe, that I cannot agree to the opinion given me by Lord Cornwallis in his last letter, that the Chesapeake should become the seat of war (if necessary) at the expense of abandoning New York, as I must ever regard this port to be of the utmost consequence, whilst it is thought necessary to hold Canada with which and the northern indians, it is so materially connected. We should moreover. . . leave to the mercy of the enemy, nearly 25,000 inhabitants of a very valuable and extensive district which is in general supposed to be loyal and relinquish the only winter port the King's ships have to the northward. To these might be added a thousand other considerations, amongst which its proximity to the undecided district of Vermont is not the least in weight.¹

On May 4, Germain wrote Haldimand again indicating his intense interest in Vermont affairs:

(Secret.) I have an opportunity of acquainting you that, since my dispatches were sent off, I have received certain information that the French Court have given orders to M. de Lucerne to dissuade the Congress from making any attack upon Canada, until they have driven the King's Troops out of the thirteen Provinces. As therefore you will have nothing to apprehend for the safety of your own government you will have it more in your power to co-operate with Sir Henry Clinton in reducing the revolted Provinces, and it appears to me that the most effectual means you can employ for that purpose is by sending up to Vermont so considerable a Force as to encourage Ethan Allen and the people of Vermont to declare for His Majesty's Government and cut off all communication between Albany and the Mohawk River and prevent Washington's Army receiving any supplies down the Hudson's river.²

On May 8, Clinton wrote Haldimand, 'Vermont deserves our vigilant attention.' He writes of the two letters sent to Ethan Allen, and of their capture on the way to Congress.

Mentions the Unions, but does not understand 'why they did this.'

Writes of Wells, who has referred him to Haldimand and the information given by Townsend.

Adds that Chittenden boasted that by his letter to Haldimand in 1780 he had saved the frontiers. This letter was in cipher and was not received by Haldimand until June 5.

During the month of April, 1781, Smith wrote to Tryon:

¹ *Canadian Archives*, Q-18, p. 49.

² *Ibid.*, B-147, pp. 308, 310, 317; also Vermont Historical Society, *Collections*, vol. 2, p. 119.

The Governor and Council of that self-created Sovereignty began to negotiate with Mr. Haldimand last fall; . . . In the debility of the Continent, and with suspicions of the worst, the New York Republicans were yielding and the Congress about to consent to the Divorce. To defeat it the crafty Mountaineers passed an Act, [annexing part of New York and New Hampshire] and added a militia of 3000 to the five thousand which before made the strength of the new star in our political Firmament, which you and I once took for a contemptible Meteor. Should it not have been called Dartmouth? ¹

For the guidance of scouts a set of 'Questions' was prepared and full and accurate answers were required. The following indicate the exact information desired:

Query 1. Do not the people (of Vermont) think that Congress will send an army upon them, and what do they say on this subject?

Answer. They do expect Congress will try to subdue them, but they are determined to fight and expect that the King's troops will assist them from Canada.

Query 2. Is this talked publicly among the common people or only among the leading men?

Answer. The leading men in general talk this privately and many of the populace. (Confirmed by Abraham King)

Query 3. Who do the populace consider as the principal men in this plan?

Answer. The people in general suppose that Governor Chittenden, General Allen, his brother, Ira Allen and the Fays are endeavoring to make a British Government of Vermont, and many of the rebel party are very uneasy.

A spy by the name of Wing furnished these answers.²

If the exchange of prisoners had been the sole object of now sending commissioners to treat with the British, Ira Allen would not have undertaken it, but would have sent Joseph Fay. It was Ira Allen who advanced the idea of attempting an armistice, which seemed to most of the Council as impracticable³ as had his proposal of raising a regiment in 1777. An armistice with Vermont meant that the British army in Canada would remain idle, as they could not attack the New England States except through Vermont, and to reach Albany they would have had to follow Burgoyne's path, which their forces were not large enough to admit of doing.

¹ *Canadian Archives*, British Transcripts, Colonial Office 5, 158, folio 437, Library of Congress; also Wilbur Photostats, University of Vermont.

² *Canadian Archives*, B-176, p. 72.

³ Allen's *History of Vermont* (London, 1798), p. 161.

Allen and a few others realized the hazard, but felt that Vermont would be annihilated as a State if invaded by the British. He did not go alone, as a spy would have gone on a secret mission, but went in state as an ambassador, accompanied by a Lieutenant Lyman and sixteen privates. They traveled by land about one hundred miles to Lake Champlain; thence a good boat and a fair wind soon landed them on the Isle aux Noix, where they were kindly and politely received by Major Dundas, commandant at that place. Allen and the lieutenant were lodged in the house provided for him and they ate at the mess with the British officers. Lyman was an ignorant fellow and became such a nuisance that Allen hinted to Dundas that it might be well to place him on a ship lying near, but Dundas, not being in the secret of the armistice, did not see the necessity and Lyman remained. Justus Sherwood was immediately sent for from St. John's. Allen exhibited his credentials and explained the absence of Major Clark by stating that family matters had detained him. It was Sherwood's part to negotiate for the annexation of Vermont, unknown to Dundas, which made the negotiation more difficult and dangerous.

The only account by Allen of this negotiation is contained in his 'History of Vermont,' written from memory in London in 1798. Samuel Williams in 1794 requested Allen to give him some account of it for the history he was then writing of Vermont, but Allen declined, as relations were still strained with the British. Allen's account is brief, but generally agrees with that of Sherwood, who was employed to report every detail to General Haldimand and who would not have dared to color or misstate any facts, as his reports were the basis upon which Haldimand formed his opinions. Sherwood also may have known that his reports would be forwarded to Lord George Germain. Most of the letters were addressed to Captain Mathews, Haldimand's military secretary at headquarters in Quebec; unless otherwise stated, this then may be understood. On May 7, Sherwood wrote: 'I have just time to inform you that Colonel Ira Allen has arrived from Vermont with full powers (as he informs me) to negotiate all necessary business between Government and Vermont State.'¹ He wrote of his embarrassment and expressed the wish that Major Dundas

¹ *Canadian Archives*, B-176, p. 71.

might be instructed to act with him. On May 8, Ira Allen wrote to General Haldimand:

I herewith exhibit sundry papers, by which your Excellency will see the peculiar situations of the State of Vermont.

A copy of my instructions for settling a cartel together with some other papers, I have delivered Major Dundas, which I expect he will transmit to you, have seen your instructions to Major Dundas and Captain Sherwood and find some embarrassments by their not being both on one footing.

When you consider the natural evils attending large and popular bodies, you will not be surprised that my instructions are in the form, they at present are.

I have freely conversed with Captain Sherwood and hope this procedure will make way for some [thing] further, and would propose whether in the interim it would not be to the mutual benefit of the contending powers to keep their troops within their respective lines.

The Legislature of Vermont stands adjourned to about the middle of June next, when it is expected that the people east of Hudson's River and west of our former line will be represented in the Legislature of said State, when another flag will be sent with ample powers to exchange prisoners (provided a cartel is now settled) and to transact such other business as may be then judged proper.¹

Sherwood wrote on the same day enclosing the above:

From what he told me on his first arrival, I flattered myself that something of consequence would soon take place. But am much disappointed to find that he has no particular instructions to make or receive proposals for Vermont, or to make the smallest advances towards an accommodation. He says matters are not yet ripe, Governor Chittenden, General Allen and the major part of the leading men are anxious to bring about a neutrality and are fully convinced that Congress never intend to confirm [Vermont] as a separate state, but they dare not at this time make any separate agreement with Great Britain, until the populace are better modeled for the purpose.²

Sherwood and Haldimand did not learn for some time that Ira Allen usually gave instructions in Vermont and had written these; and the gradual change in their estimation of him is interesting. On the same day Allen addressed the following to Dundas and Sherwood:

GENTLEMEN;

On the perusal of the power given you by his Excellency General Haldimand for settling a cartel for the exchange of prisoners, and the

¹ *Canadian Archives*, B-175, pp. 79, 80; also Wilbur Photostats, University of Vermont.

² *Ibid.*, B-176, p. 73.

several other papers by you respectively exhibited to me, have to observe that for reasons too prolix to be here inserted, could wish your power to admit of settling a permanent cartel. . . . Vermont as a free and independent State wholly unconnected with any power whatever, are disposed to treat prisoners in the most humane manner and to pay strict observance to public faith by them pledged. As to the prisoners sent to New York on parole, have no knowledge of any part of them belonging to Vermont. The prisoners taken at Fort Ann, last Fall do not expect at this time to include in the cartel, yet as the State of Vermont have laid a jurisdictional claim to Hudson's River, and expect said State will in a short time exercise jurisdictions over said District, do therefore propose a reserve on their behalf, that a cartel might on some future period be mutually agreed on for their exchange. Shall deliver you a list of prisoners you have belonging to Vermont and expect a list from you, of yours in our possession. I herewith exhibit proposals for settling a cartel.¹

ARTICLES OF AGREEMENT FOR SETTLING A CARTEL BETWEEN:

Major Dundas and Captain Sherwood, Commissioners in behalf of the King of Great Britain, on the one part, and Colonel Ira Allen in behalf of the State of Vermont on the other part:

Article, 1st. All the prisoners now or that may in future be found in the possession of either parts shall be exchanged, officer for officer of equal rank soldier for soldier, and citizen for citizen.

2nd. The State of Vermont having heretofore delivered the prisoners, who have fallen into its possession to the United States of America, by which it is not at present possessed of an equal number, therefore agreed that all the prisoners belonging to said State, now in the possession of the King of Great Britain, be permitted to return to their respective places of abode on parole.

3rd. A commissary of prisoners on the part of the State of Vermont shall be appointed, who shall have charge of the prisoners on parole and shall give proper receipts from time to time to such like commissary of prisoners of the King of Great Britain and shall return them when demanded, or an equal number, of equal rank as aforesaid.

4th. For the purpose of facilitating this exchange, as soon as may be all the prisoners now in Canada that were at the time of their being taken inhabitants of the State of Vermont, shall be collected at . . . on the . . . day of . . .

5th. All the prisoners now in possession of the State of Vermont, or that they can procure, shall be collected and delivered at . . . on the . . . day of . . . where they will be exchanged as aforesaid.

6th. The commissary on the part of Vt. will be at . . . on the said . . . day of . . . to receive and receipt the prisoners, to be there delivered and to make the exchange so far as he may be possessed of prisoners.

¹ *Canadian Archives*, B-175, p. 81; also Wilbur Photostats, University of Vermont.

Article 7th. WHEREAS such part of the second Battalion of Continental troops commanded by Seth Warner as were citizens of the State of Vermont at the time of their respective enlistment in said battalion had been by the Legislature of Vt taken under its patronage, it is hereby agreed that all the officers & soldiers of said Battalion now prisoners in Canada (that were citizens as aforesaid) shall be exchanged or liberated on the same condition as other prisoners of said State are to be by the first and second articles.¹

On May 9, Sherwood wrote:

I have in the closest manner endeavored to prevail on Mr. Allen to make some overtures to the Gen'l in behalf of Vt., but my endeavors have hitherto been ineffectual, and he has such a cautious and suspicious kind of reserve in all his conduct, that I must confess it gives me too much reason to fear that the whole drift of his journey here is to alarm Congress into a compliance with their demands.²

Dundas, not knowing of the secret conferences between Allen and Sherwood, wrote Mathews:

I am much afraid the flag is sent from Vermont rather to show the Congress, or particular States, that they are tampering with us than to settle any material business. After showing Col. Allen the papers transmitted to us by His Excellency, I could not learn from him what he proposed to do, I thought perhaps a sort of delicacy prevented him from opening his mind, and I told him he had better peruse the papers at his leisure and then write to us his sentiments relative thereto, etc., etc., which letter we should forward to His Excellency and wait for his commands in answer to it. Colonel Allen has brought no list of prisoners in their possession, neither does he seem to know any. As to their getting them from the other States, in return for those we have belonging to Vermont, I should imagine it is a frivolous pretence as they acknowledge they are at variance with the other States and are acting entirely independent of them. My own opinion, is that they want to alarm Congress or particular States in order to gain their own ends from them. I have seen copyes of different letters wrote by Gov'r Chittenden to the Governors of Connecticut and New Hampshire, to which they say there have been no answers given. If you think proper, you may communicate to His Excellency, what I have said to you, on this head.

I have sent Capt. Sherwood to Colonel Allen for an explanation of some paragraphs in his letter, after which we shall write to the General and send his letters inclosed, which I beg you will be so good as return by Post.³

¹ British Museum, Additional Manuscripts 34546; also Wilbur Photostats, University of Vermont.

² *Canadian Archives*, B-176, p. 75.

³ *Ibid.*, B-132, p. 82.

On May 11, Sherwood wrote:

In obedience to his Excellency's commands to me, I have constantly attended Col. Allen and left nothing undone in the compass of my power or abilitys to find the intentions of Vermont and to find whether Mr. Allen has any proposals to make separate from the business of the exchange. Yesterday I had a long and close conference with him, respecting the critical situation of Vermont, and, after he had thrown out several hints of the strength and consequence of Vt., to whatever power she acceded, I told him in very plain terms that his errand here appear'd too much like design and chicane considering he had not even a list of prisoners to give for those in our possession and could not mention above two officers and not more than half a dozen privates of ours in the present possession of Vermont, that if he had no other proposals to make, Gen'l Haldimand would have too much reason to suspect that Vermont sent him here to frighten Congress into a compliance with her demands and to negotiate away the proper season for a campaign. That should the Gen'l once entertain this opinion of V't. he most certainly would shew some proper resentment perhaps to the disadvantage of the inhabitants. Mr. Allen reply'd he had no proposals to make separate from the cartel which he wished to have settled in such a manner as would leave a door open for some further negotiations. That with respect to the prisoners, he was very certain that V't could soon gather a sufficient number from the neighbouring States to make an equal exchange. That as to himself he knew how far his instructions empowered him to act and he should observe them and if Gen'l Haldimand was not satisfied with this, he could not help it, neither could he prevent Gen'l Haldimand from entertaining whatever opinion he pleased of his errand here, and although he knew it was the desire of V't, that hostilitys might cease on both sides at least for a few months, yet if Gen'l Haldimand, in consequence of his not making proposals which he was not empowered to make (nor could not be consistent with their present situation) should think proper to send his forces of hell and the d'l against Vermont, they must and would fight them all by G'd, and they had already got pretty well prepar'd for whatever might happen etc., etc.

I have communicated this conference to Major Dundas and find that my opinion corroborates with the Major's that Mr. Allen's errand here is to prolong time and if possible to alarm Congress into a compliance with their demands. By the Major's advice, I transmit this account to you for his Excellency's information.

Mr. Allen has brou't a subaltern Officer with him, who is not connected in the business of the truce, but has the charge of the escort, he is quartered in the same room with Allen and myself, and being a downright illiterate zealous pated yanky, is a very great embarrassment, especially as Allen is very cautious not to mention a syllable of any kind of business in his presence. When we walk out, he most

commonly attends us closely and has just breeding enough to listen and look over a man's shoulder when he is writing. Col. Allen wishes to have him and the escort remov'd on board the shipping. I send you this account of our embarrassment by the advice and direction of Major Dundas, and suppose he will himself write to you on the subject.¹

Dundas did write and expressed similar views.²

Sherwood wrote the following letter on the same day without the knowledge of Major Dundas:

My last letter enclosed in Major Dundas's was wrote in such a manner, as I thought would not be amiss to shew to the Major, but was, however, my real opinion of Col. Allen's errand, which, I have still too much reason to retain. I had a very close and warm conference with him yesterday and told him in plain terms he must make some proposals to Gen'l Haldimand or give some reasons why he did not. He reply'd that as their cabinet was not yet ripe for making any proposals, he should not take on himself to make any, but would give me his reasons which I might write down. I did so, and after he had examined them he said they were just what he meant to exhibit and desired me to send them to the Gen'l. I requested him to sign them, which he refused to do, saying it was sufficient for him to give me his reasons. I told him the Gen'l would expect something from him as he was here and could do it with safety, otherwise his Excellency would have too much reason to view his errand as nothing more than a desire to prolong time. He reply'd I had stated his reasons too much in form of proposals and he would be d'd if he signed them. I desired him to take paper and to draw them over with such alterations as he should think proper to make, to this he consented and I have enclosed his draught. I keep my own to send you hereafter if His Excellency should wish to see it. But Mr. A—n will not consent to sign his own draught, he says the Legislator of V't cannot make any proposals till the Western territory to Hudson's River take their seats in the Assembly, which cannot be till next June. But he wishes to take a copy of Gen'l Haldimand's private instructions to me and lay it before Gov'r Ch'n, Gen'l A—n, and part of the Council. I beg you will let me know whether I may give him a copy or not. The letter that covers this is wrote to shew to Major Dundas, but contains nothing more than pass'd between Mr. A'n and me at different times with my doubts.

I have omitted nothing in my power to carry into execution His Excellency's commands, to me respecting V't, have placed everything in the clearest view to Al'n and used every argument that I could suggest too prolix to be inserted in this letter, but, which, as soon as I have leisure shall arrange in a proper journal with the minutest circumstances and transmit them to you for the Gen'l's information.

¹ *Canadian Archives*, B-176, p. 84.

² *Ibid.*, B-132, p. 85.

Col. Allen's dark and intricate manner of proceeding in a negotiation to which one of his Majesty's oldest and ablest generals has in the most humane frank and generous manner condescended to open a door, obliges me sometimes to view him with contempt and always with suspicion, which last is much strengthened from his coming alone, while I well know they have men much more capable from age, experience and education to transact a business of this nature.

His pretences that Doctor Fay was sick, Major Fay's wife sick and Major's Clark's family indisposed, (to me) appear frivolous. Those suspicious circumstances, with the great opinion Allen seems to entertain of the mighty power and consequence of V't, induces me to think they flatter themselves with a belief, that if Britain should invade them, the neighbouring Colonies, rather than lose them as a frontier would protect them, and on the other hand, should Congress invade them, they could easily be admitted to a union with Britain, at the latest hour, which they wou'd at the last extremity choose, as the least of two evils. For Allen says they hate Congress like the d'l and have not yet a very good opinion of Britain. Sometime I am inclined, from Allen's discourse to hope and almost believe that they are endeavouring to prepare for a re-union, to this, I suppose, I am somewhat inclin'd by my anxious desire that it maybe so. I confess, I am much perplex'd with my own anxiety and the many doubtful occurrences that oppose it, must therefore beg to submit the whole of our conference to his Excellency, which I shall with the greatest exactness transmit to you by every post.

Col. Allen desires me to mention to you that he is very anxious to return as soon as possible, as he thinks he can be very useful at the next session of the Assembly in forwarding the business on hand.¹

P.S.

Allen expresses a great desire to see the Gen'l. and his power to treat with V't, and of which he seems to entertain some doubt, this is a late hint from him

N.B. I wish Major Dundas (or some other gentleman) was with me, in this perplexing and shuffling business.

In what follows Sherwood undoubtedly sets forth information which Allen had imparted to him in their walks, that he might forward it to Haldimand:

ISLE AU NOIX, 11th May, 1781

The circular letters of [to] the neighboring states enclosed by Major D[undas], were designed by the Cabinet of Vermont as a political stroke to keep the neighboring states from committing hostilities on them when they declared neutrality, as also to embarrass in that respect, and as the claiming states had done everything in their power to make a discord in Vermont, and had, in some measure,

¹ *Canadian Archives*, B-176, p. 80.

succeeded, as they had been a large body of men living contiguous to Connecticut River, for sinister views, had ever opposed the River being the boundary line between the respective states of New Hampshire and Vermont, and after Vermont relinquished her jurisdiction to sixteen towns east side of said river, the people on the two sides of said river refused to subject themselves to either Government, except in some things respecting the war. They petitioned the General Court of New Hampshire to extend jurisdiction over them and the whole of Vermont, which was in agitation in Congress, but the three claiming states could not agree, and the Congress not making a decision at the time they sat in September last, in (on) which the petitioners of New Hampshire thought by raising a convention from all the disaffected of the two states contiguous to Connecticut River, and by that means get them connected with New Hampshire. When the Cabinet of Vermont thought that, considering all the clandestine and unjustifiable proceedings of New Hampshire, they were then ripe for giving to New Hampshire a heavy blow, an agent was sent to said convention, a committee was appointed to treat with the Legislature of Vermont, and the convention adjourned to the same day said Legislature were to convene, and the Legislature, when convened, laid a jurisdictional claim east to the Mason line, leaving [being] about twenty miles east of Connecticut River, and west to Hudson's River. Articles of Union were then agreed on between the legislature of Vermont and the convention, and sent out for the approbation of the people, which was almost unanimous. The legislature adjourned for a short space and convened again, when the eastern district were fully represented, and proceeded to business with great harmony. A large number of petitions were sent from the people inhabiting within said western claims, requesting an extension of jurisdiction, &c., when a committee was appointed to attend a convention to be held at Cambridge in [9] instant May, with full powers to agree on articles of union. The Legislature adjourned to about the middle of June next, to be convened at Bennington, when it is expected the western district will be fully represented, as the people there have been some years wishing for a union with Vermont, but have been held off as the Cabinet of Vermont waited a more favorable opportunity, when they could justify their conduct to the world by the ill treatment of New York &c. Within this western claim are a respectable number in favor of British Government.

The reason of Colonel Beverly Robinson's letters and that of General Allen's being sent to Congress, are: some accounts had arrived at Long Island, purporting that General Allen had received such letters; they were first promulgated amongst others, and Mr. Robinson's second letter had not arrived, which was mentioned in his third. It was, however, necessary that some immediate step should be taken to pacify those of the populace that had taken an active and early part in this war, for many of them thought that after the declaration of Independence Congress was next to God

Almighty, in power and perfection, and it has been with great difficulty that that idea is so far erased and is at present in such a decline, and as the scene must be opened to this hot-headed multitude before neutrality could be declared, it was judged that the best way of promulgation was to send the identical letters to Congress, with a proper letter from General Allen; that it should go in a mail from Hartford, and that the copies should be read in the Legislature at their next session. After said letters were read, and his Excellency, the Governor, and sundry members of the Legislature had advanced arguments purporting the right of Vermont to hold correspondence with any power, or to offer or accept terms of cessation of hostilities with any power, the injustice of the claiming states and Congress, the unreasonableness of Vermont supposing herself under obligation to fight to support the independence of the United States, and they left at full liberty to usurp the rights of Vermont; that by the conduct of Congress and the claiming states, it appeared that they were willing Vermont should defend their respective frontiers so far as they could, and if Vermont should by the war be ever so much depopulated, it would still be to their advantage, as their intentions appeared to be to divide said state among the claiming states at the end of the war, &c.

The question being put, whether the proceeders [proceedings] had on said Robinson's letters and that of General Allen's was approved by the House, when it passed in the affirmative. There is every reason to suppose that these proceedings will have their desired effects, but it must be a work of time. Popular bodies move slow. The people of Vermont are ripening for neutrality as fast as the wheels of time can roll. Some politicians are of opinion it may be accomplished before the rising of the next session of Assembly, but in such case it will be expected that commissioners on the part of Vermont will negotiate such business with commissioners duly authorized from the Court of Great Britain to approbate Vermont to be a neutral state to the end of the war. [F]or Vermont at present to consent to be a British province would be little more than changing the tables and making Vermont the seat of war.

The citizens of Vermont were of opinion that the demands of Great Britain upon her colonies were unconstitutional and unreasonable, which induced them to take an active part in the war, nor have they yet altered their opinion in that respect. But the treatment they have met with from Congress and the claiming states, considering the active part they have taken in this war, has raised a great resentment in the minds of the more contemplative against Congress and the claiming states than they have against Great Britain, and considering the extent of their territory and numbers of inhabitants, are fully sensible that they cannot continue a separate power, but that in time they must connect with some more aged and powerful, and when they consider their contiguous situation to that of the New England States, the ties of consanguinity, &c., the debts contracted by the United States, &c. Vermont are clear of debt, and

wish so to continue. Upon a full consideration of the peculiar situation of Vermont, the leading men are doing everything in their power to bring about neutrality, but, as it has been before observed, that in order to settle some broils in the state, it was necessary to close said union, which in some respect tends to postpone a completion of neutrality, yet, when once effected, it would be the more powerful and permanent. Whether Congress or the claiming states would use coercive measures with Vermont as such, a declaration is at present uncertain; however, should they attempt it, should choose to try them one battle before we called for any assistance. Should any considerable force be sent to invade the frontiers of New York before neutrality could be settled, would propose a feint to be made towards the frontiers of Vermont, which would enable the officers in Vermont, that are principal in command, to declare [deceive?] their other officers and men, that are so exceeding great whigs.

Colonel Allen's reasons for settling a cartel are, to show the people of Vermont that the British General will consider Vermont as a state unconnected with the United [States,] and thereby enable them to collect a sufficient number of prisoners that were taken with General Burgoyne and elsewhere that are now scattered in a (the) country to exchange for those in Canada, and to continue an intercourse by flags. The prisoners taken at Fort Ann and Skenesborough will at a future period, when Vermont exercises jurisdiction there, come under consideration.²

Mathews, on May 11, wrote Sherwood from headquarters:

I have received by Mr. Jones your letter of the 7th Inst. reporting the arrival of the Flag and have laid it before the General. His Excellency recommends to your particular attention the utmost Caution and unaffected Circumspection in your conversation with Mr. Allen, having been cautioned from different Quarters to be upon his Guard against that People-Endeavour to discover from him the object of Mr. Washington's removing with his Family to Albany, if he has made any overtures to the State of Vermont, what they are, and how received. And if he is Acquainted with, or was adverse to the Flag being sent — whatever you may be able to learn on these or other Heads, the General desires you will communicate without loss of time and by express if necessary. . . .

To prevent the Jealousies you apprehend and remove all difficulties whatever, His Excellency will send Major Lernoult the Adjutant General to transact, in conjunction with you and Major Dundas the Business of the Cartel. And in order to assist you in treating fully upon the other subject, the General has imparted it to him. so that you will Communicate together upon it and if you should find it necessary to gain Time for Conference with Mr. Allen, Acquaint Major Lernoult with it, and he will start some difficulty to delay the flag by sending an Express to the General or taking extraordinary

² Vermont Historical Society, *Collections*, vol. 11, p. 121.

time to consider of the business in hand. All this must pass between yourselves, and you must be as little together as possible, that Major D. may not suspect you.

On May 14, General Haldimand wrote the following letter to Governor Chittenden from Quebec, and sent it to Dundas to be given to Allen:

By the arrival of Colonel Ira Allen with a flag of truce, I am favored with your letters of the 1st of Jan'y and 26th ulto.

I am sorry the gentlemen you appointed Commissioners for settling the proposed exchange of prisoners last fall, should have had so disagreeable and so ineffectual a journey. I had appointed Commissioners to treat with yours, whenever they should arrive. These gentlemen finding the terms offered by Col. Allen, inadmissible, transmitted them to me, they require that all the prisoners belonging to the State of Vermont and even those belonging to a Corps in the service of the United States being originally inhabitants of Vermont, should be permitted to return upon parole to their respective homes. At the same time avowing that all the prisoners belonging to the King's army that have fallen into the hands of the State of Vermont, have been given up to the United States.

I confess, I am disappointed to find the overtures made upon this occasion after a deliberation of six months so little calculated to bring about an event which I was in hopes was proposed and agreed to mutually from the motive of humanity and for the benefit of both parties. On my part this door is still open adopting the measures so humanely pursued by Government, throughout this unhappy contest, and so correspondent with my inclinations.

At any time, therefore, that proposals shall be made by the State of Vermont, such as I can with honor and propriety accept, a flag of truce shall be received.¹

On the same day he wrote to Dundas explaining his motives in acceding to Chittenden's request for the exchange of prisoners, and instructed him to receive a flag at any time; adding 'You will permit him [Allen] to return with the flag, when it shall be convenient to him.'²

Sherwood's letter of May 15, to headquarters, suggests he has hopes:

Since my last, I have had much conversation with Col. Allen in which he has thrown out many hints that Vermont wishes by the cartel, to keep a door open for some further negociation of much more consequence. He says they have enlarged their State east and west to strengthen themselves for any event that may happen. . . . He says some of their new Assembly men are friends to Govt. and

¹ *Canadian Archives*, B-175, p. 83.

² *Ibid.*, B-132, p. 89.

that Vermont, when the Union is completed, will be able to bring into the field ten thousand fighting men. Their eastern boundary is 20 miles east of Conn't River, to the old Mason line and the Western boundary from the N. W. corner of Massachusetts West to Hudson's River, running up the River to its head, then No. to the latitude 45. He thinks the western members will join the V't Assembly next June and a number will probably be friends to Govt. He says this great and sudden revolution has been brou't about in some measure on the principles of opposing Congress, should they attempt to force them to a compliance. Col. Allen has of late exhibited many of those kinds of hints to me, but how far they are worth notice, I submit to his Excellency. As I think it my duty to give his Excellency every information in my power, I send by the consent and advice of Major Dundas and beg leave to observe that from Col. Allen's late conversation, I have some small degree of hope that those deluded people will yet to see their errors and take measures to save themselves from ruin before it is too late. But still I have too much reason to fear (from Allen's making no kind of proposals for a settlement) that they wish to prolong time and strengthen themselves.¹

On May 15, Mathews wrote a private letter to Sherwood:

I have had the honor to lay before his Excellency, the Commander-in-chief, your letters of the 8th and 9th instant, with their enclosures, from all which his Excellency is clearly of opinion with you, that the flag is sent more for the purpose of gaining time and influencing the Congress, than to forward the negotiation proposed on our part, and formally encouraged on theirs, or even for the settling of a cartel. The extension of their territory and jurisdiction, their unreasonable demands respecting a cartel, and their avowing Ethan Allen's exposing to Congress Colonel Robinson's letter, evince their unfavorable disposition to the union we wish for. His Excellency is therefore determined, that unless they open their intentions more fully, and declare the conduct they mean to adopt, at once to put a final stop to all treaty with them, and it is not unlikely this declaration may bring them to a decision; in all events it will counteract their views with respect to Congress, and prevent our being the instrument of their success. Notwithstanding this resolution, His Excellency, before he entirely relinquishes an object he has so much at heart, wishes they could be fully informed of the favorable terms held out to them, and desires you will, for that purpose, communicate them at large to Mr. Allen, unless, by his conduct, you are clearly of opinion of the inefficacy of the measure; but he likewise particularly desires, that you will not, upon any account whatever, leave the paper in Mr. Allen's possession, or trust it where it may be copied; for tho' it contains nothing which the General would hesitate to publish, yet this precaution is necessary for your protection, and it is sufficiently justified by their having given up Colonel Robinson's letters. After being fully acquainted with His Excellency's inten-

¹ *Canadian Archives*, B-176, p. 89.

tions, they may, at any time they shall think proper, communicate their determination in consequence thereof by a flag, but no truce, or cartel as proposed by them, can in the meantime be admitted. They have been acquainted with the General's disposition in their favor since last November, and have had sufficient time maturely to deliberate upon it. They should, therefore, have come in prepared to accept or reject his proposals.

He then mentions Ira Allen's letters to Haldimand, and to Sherwood and Dundas of May 8:

These passages appear to comprehend your private instructions for accommodation, as well as for those to you and Major Dundas, in common, upon the Exchange of Prisoners. He should have carefully avoided touching upon the former to any Person except yourself, the utmost secrecy having mutually been agreed upon between you, the General recommends to you the most guarded caution in wording whatever may be necessary to write Mr. Allen upon the subject of the Exchange of Prisoners, and by no means to touch upon the matter, except by word of mouth. If your endeavours should prove ineffectual, His Excellency thinks you would do well to let Mr. Allen understand that a Flag will be sent to Albany, to declare to the people that no Treaty, or Cartel of any kind exists between us and Vermont State, and that their overtures, made for the latter were rejected and all negotiations finally at an end, least they should keep up the farce to engage the Attention of Congress.¹

Sherwood's reply, dated May 20, 1781, follows:

I have received your private letter of the 14th [15th] inst. and have communicated to Col. Allen such parts of it as appeared most likely to alarm him. I have made my last effort (till I hear further from you) to bring him to some terms, but all to no purpose. I have not time to send my journal of yesterday, but only to observe that it is much in the same equivocal and tedious line with those I have already sent. Allen, however, seems somewhat alarmed, he says they never will join Congress on any terms, if they can be allow'd time to bring the people to a compliance with Gen'l Haldimand's terms; he thinks by the 20th of next July, if they can be permitted to send some prisoners to be exchanged, commissioners might probably come fully authoriz'd and hopes Gen'l Haldimand will consider the danger of tampering too fast with the populace, and have patience at least till that time, in short A'n says many plausible things, but none to the point and I suspect Gen'l Haldimand's terms would take much better hold of them on their frontiers accompany'd with a good army. At least, I have been so long trying other methods in vain and so long a witness of their arrogance, that I feel, heartily

¹ *Canadian Archives*, B-179, p. 3; also in part, Vermont Historical Society, *Collections*, vol. 2, p. 124.

dispos'd for this mode of treaty and yet I am apprehensive the populace especially to the Eastward are (agreeable to Johnson's account) better inclin'd than their leaders.

J. SHERWOOD.

P.S. The passage you quote in Allen's letter to the Major and me refers to different publick lists and acc'ts rec'd from the Major and me and I can assure you that Allen has been very cautious not to drop a hint to the Major or in his hearing, respecting the private business.¹

The extracts from Sherwood's journal that follow² give a clear account of his conversations with Ira Allen. They were forwarded to General Haldimand and a copy sent by him to the British Ministry. Sherwood's letter enclosing his first installment is dated May 16, 1781:

Enclos'd I send you a rough journal of the principle heads of my different conferences with Mr. Allen. As I have taken it from my broken minutes, which I have put down from day to day, I think it contains the essence of Allen's ideas, yet exhibited. I have been very particular not to omit anything that I could think worth notice and perhaps you may think many things, I have mentioned not much to the business, but my anxiety to give his Excellency such information of Allen's whole conduct, as will be most likely to enable him to judge of Vermont's intentions has led me to be very particular in observing Allen's seemingly different sentiments, at different times, as you may see he has for two or three days last past been (apparently) much more anxious to persuade me of the sincere and upright intentions of Vermont, than at his first arrival. The letter which covers this is wrote to shew Major Dundas. As I cannot send a letter off without his knowledge, I am always oblig'd to shew him my letter, in which I afterward enclose my private one, but though I write this covering letter for a pretence, it always contains my sentiments, for I will not use deceit in any letter.

Shall therefore beg leave to refer you to the conclusion of that for my hopes and fears and to submit to his Excellency whether Vermont is yet an object for further negociation or not, but cannot help hinting to you my secret wish that he will a little longer determine in the former, at least till their June meeting, for I freely confes, I have nothing so much at heart as reclaiming that people, many of whom were once very dear to me.³

May 8, Colonel Allen says, he is not authorized to treat of a Union, but is verbally instructed by Governor Chittenden and General Allen to lay their present situation before General Haldimand, and to inform him that matters are not yet ripe for any per-

¹ *Canadian Archives*, B-176, p. 106.

² *Ibid.*, B-176, pp. 96, 105.

³ *Ibid.*, B-176, pp. 91, 92.

manent proposals; that they, with some part of the Council, are anxious to bring about a neutrality, being fully convinced that Congress never intended to admit them as a state, but they dare not make any agreement with Britain until the populace are better modelled for the purpose; wish, however, to settle a cartel for the exchange of prisoners, and thereby keep open a door for further negotiation.

May 9, [states Vermont's extension of territory as written in his letters.] The eastern inhabitants are now represented in the assembly and the western will probably be by the 15th of next June. As this is done at the request of the people, it will probably soon enable Vermont to make proposals for a Union with Britain with more safety than at present.

May 10, Walked and discoursed fully with Col. Allen. He is very cautious and intricate. I urged him to make some proposals, telling him that it is now in the power of Vermont to become a Glorious Government under Great Britain, to be the seat of peace and plenty with every degree of liberty that a free people can wish to enjoy; that he must see General Haldimand had, in his instructions to me, conceded everything he could in reason ask or expect. He replied, General Haldimand did not allow them to choose their own governor, a privilege they never could relinquish with propriety; that when they were ripe for proposals they could not go farther than Neutrality during the war, at the end of which they must, as a separate Government, be subject to the then ruling power, if that power would give them a free Charter in every sense of the word, but if not, they would return to the mountains, turn savages and fight the Devil, Hell and Human nature at large. I told him Vermont could not accomplish those extravagant flights; that hot headed men might pretend what they would, but that I knew Human nature too well to be easily persuaded that the affectionate Husband, Father, Wife, and Mother could ever be prevailed upon to leave their happy possessions, and with an Infant train lead a savage, wandering Life, surrounded by Enemies of the human and brute Creation, exposed to every inconvenience attending those inhospitable Mountains, &c, &c. I did not pretend to know how far these chimeras might intimidate Congress, but I could assure him General Haldimand had too much experience and good sense to take any further notice of them than by the Contempt they merited. Colonel Allen now began to reason with more coolness, and made up a long chain of arguments advanced by General Allen to me at Castleton. I told him those arguments had been already exhibited to General Haldimand and were then satisfactory to him, but I was certain the General would now expect some further advances; would therefore advise him, if he could not make any propositions in behalf of Vermont, to give his Excellency some reasons why he did not. The conversation again became warm and spirited.

May 11, Colonel Allen expressed a great desire to see the General, and his power to treat with Vermont. I told him it would give his

own people too much jealousy, and that he might rest assured General Haldimand never will promise more than he is amply empowered to fulfil. Allen observed he did not think the Parliament had passed any act in favor of Vermont. I answered, I did not think the Parliament of Great Britain has yet considered Vermont of consequence enough to engross the attention of that assembly. He replied, in his opinion Vermont must be considered of consequence enough to engross the attention of Parliament before any permanent Union can take place between Great Britain and that people.¹

May 12, This day had a long and very friendly Conference with Colonel Allen. He seems anxious to convince me that a respectable number of the leading men of Vermont are endeavoring to bring about a Union by way of Neutrality. He appeared less reserved, and again repeated the arguments advanced by Genl. Allen respecting the impossibility of an Union with Great Britain, until Vermont had fortified herself against the neighboring States by a firm internal Union, and observed they must finally unite the extra Territories lately taken in, and form the population into a proper system for such a revolution. He says their best politicians are making every possible effort to bring this about; that they have sent circular letters to the different States, as promised by Genl. Allen.

He says they have taken in the new territories with a view to embarrass congress and strengthen themselves for a revolution; that many members of Assembly from Connecticut River and east are friends of Government, such as Judge Wells, Judge Jones, Colonel Olcott, and many others; that when the members for the western part take their seats, it is expected that a number of them will be composed of friends to Government, (or tories) Colonel Allen has given me the following narrative, as nearly as I can recollect, viz: Vermont having got information that New Hampshire had renewed her claims to that State, and had summoned a convention of one member from each Town for twenty miles on each side of Connecticut River, to sit in January, he was dispatched to attend said Convention. On his arrival he found a number of Tories were members. He hinted to them Vermont's plan of Neutrality, and to the others the advantage of joining Vermont, by which they would evade a large burden of Taxes. By those insinuations he soon gained over the majority of the convention in favor of Vermont. They adjourned till February, when a committee was appointed to take this matter under consideration, and the committee reported in favour of a union with Vermont. This report was carried to the Vermont assembly, then convened at Windsor, when it was ratified, and articles of union drawn up and sent out for the approbation of the people, which was so unanimous that members were appointed from each town to sit in the assembly. Colonel Allen was sent from this convention [assembly] to the assembly of New York, then sitting at Albany, with an official demand from Governor Chittenden to relin-

¹ This was also the opinion of William Smith, Great Britain's ablest American adviser.

quish their claims to Vermont, to which the Senate agreed, but not meeting with the same success with Governor Clinton, he returned to the assembly of Vermont with his report, who immediately made articles agreeable to the petitions of the people of the western part, and recommended a convention of those people to take the articles into consideration, and join the assembly in June next. In consequence of the Eastern Union they have formed three Brigades: — the first commanded by Genl. Allen on the west side of the mountain; the second by B. General Bellows on the east side the River, and the third by B. General Olcott on the west side. On the east side the mountains resides their Lieutenant Governor Carpenter. Allen thinks when the western Union is complete, they can raise ten thousand fighting men. He says this great and sudden revolution has been brought about upon the principles of an Union with Great Britain, or at least of Vermont being a neutral power during the war. Allen does not agree with Mr. Johnson that the majority wish to compromise with Britain, but says their prejudices are yet so great that it would not be safe to propose it but to a few of the population, and they have not yet dared to mention it to half of the ruling men.

May 13. Colonel Allen still appears desirous to convince me that the principle men in Vermont are striving to prepare the people for a change in favour of Government. He wishes me to represent every thing in the most favorable manner to the General, and hopes he will not be impatient. He says it is as requisite the people should be prepossessed against the proceedings of congress before they are invited to a union with Britain, as it is for a christian newlight to be perfectly willing to be d——d before he can become a true convert. This evening, Mr Allen observed that the d——d bustles among the powers of Europe, would, within six months, change the face of American affairs, but did not know, nor care, whether for the better or worse. I replied, he must have a predominant wish, as neutrality was, in principle, in my opinion, inadmissable. He said he should not deny but principle inclined him and Vermont in general for the success of America, but interest and self-preservation (if Congress continued to oppress them) more strongly inclined them to wish for the success of Great Britain, and fight like devils against their oppressors, be they who they might.

May 14. Colonel Allen seemed immersed in contemplation in consequence of some news of the advantage the English have already gained over the Dutch; the unanimous and spirited conduct of Great Britain; their raising the yearly supply without the least embarrassment, &c. He says should [Great Britain] by some d——d turn of fortune, gain a victory over the combined fleets, all Europe would not be able to contend with her, and he would give almost his fortune to be able at this time to know what will be the fate of America. He hopes I will not represent any of our conversation in such a light as to incline General Haldimand to break off the negociation, for he assures me the leading men of Vermont are sin-

cerely anxious to continue it in such a manner as to bring about pacification.

May 15. Colonel Allen seems exceedingly anxious to return, and often says his presence will be necessary at the next assembly, as they will not know how to proceed until they hear what he has to report from General Haldimand.

Haldimand's conclusions are voiced in the following letter:

Having considered the paper which was dictated by Colonel Allen, and transmitted by you to Capt. Mathews, for my information, you are hereby instructed to assure him that I am fully empowered by His Majesty to offer the terms which are contained in my former instructions to you. I declare this upon my honor. As I have not the authority to make any treaty of neutrality, I can not agree to any. The state of Vermont must either be united in constitutional Liberty with Great Britain, or continue at enmity with it. I have no desire to deceive, nor wish to engage them in any enterprize which they do not think equally advantageous to them and to Great Britain, and, therefore, must recommend to the leading men of the state of Vermont, who wish that an accommodation should take place, to lose no time in declaring themselves.

Tho' the most punctual secrecy has been observed on my part, I am not ignorant that reports have been propagated and suspicions entertained by Congress, and the states claiming jurisdiction over Vermont, as if some negotiation was carrying on for a re-union of the State of Vermont with Great Britain. I am not without apprehensions that the Congress and the emissaries of these states may, by means of such reports and jealousies, create such difficulties and dissensions in the state of Vermont as may render the good intentions of the leading men of no effect. However sensible I am of the necessity under which General Allen was of sending Colonel Robinson's letter to the Congress, yet I do not choose to have my instructions exposed to the same fate, but I hereby authorize you to pledge my word of honor for the performance of every article which I have promised to the state of Vermont. You will likewise express clearly to Colonel Allen, that, as I find the people in the York state have conceived that a suspension of arms was to take place between me and Vermont (which may lead them into mistakes fatal to some individuals), I require that on his return he shall declare publicly the contrary, in justice to the candour I pursue, and that no evil consequence wherein may arise from the above error may appear to lie at my door, and that as flags may create jealousies and embarrassments, I expect none will be sent for the future, but, if after or before the sitting of the assembly in June matters can be so far advanced as that, the leading men may come to a decision, Colonel Allen may agree upon some places, for example the Split Rock, where a confidential person may be sent with a token agreed upon between you and him as a proof that credit may be given to what he says. If the

leading men of the state of Vermont are as sincere, and mean as well as I do, no objection can be made to this proposal.¹

Sherwood wrote in his journal, the day he received this:

May 21. I communicated to Colonel Allen His Excellency's letter of the 14 [17th,] instant. He requested a copy of it, but I refused to give any from the General's letters. Allen says he is now perfectly satisfied of the General's powers to treat, and acknowledges that His Excellency acts with a noble generosity and candour, which he will endeavor to equal on his part. In justice to His Excellency, he will engage to efface as much as he can the idea of a truce subsisting between Great Britain and Vermont. He is very sorry he is not able to enter upon any proposals for a re-union; declares upon his honor that he sincerely wishes for such an event; will use all his influence to bring it about, and is certain his brother will do the same, but is much afraid General Haldimand will not have patience to wait the time it will necessarily require. He observed, as usual, the difficulty of changing popular bodies, &c &c. He promised, on the honor of a gentleman, to do his endeavors to have commissioners appointed and properly authorized for treating of a re-union, by the 20th of next July, provided they can be assured of exchanging what prisoners they can then bring to the shipping. But if he can not assure them of this he thinks they will not listen to any thing he can say.²

Sherwood's journal takes up the narrative:

May 16. Conversed some time with Col. Allen, he informs me that Gen'l Washington has not been at Albany, the winter past, but Lady Washington was there accompany'd by Lord Sterling, that she came on a party of pleasure, went to see the Cataracts on the Mohawk River, din'd two days with Gen'l Schuyler, tarry'd one week at Albany, then return'd to Gen'l Washington at Morrisstown. Allen says, Gen'l Washington is and has ever been against the independency of Vermont, as it is repugnant to his darling object of engrossing to Virginia all the immense country west of that State, that for the same reason Maryland was in favour of Vermont and refus'd to sign the confederacy, till Virginia would renounce her claim and consent to have those unsettled lands equally divided among the Southern States. This dispute being amicably settled last October, Maryland signed the confederacy. It was now thought Vermont had no resource, and N. York, N. Hampshire, Massachusetts view'd her as any easy prey, but she soon found means to embarrass them (at least) for a time, by taking a bold step to extend jurisdiction East and West and creating divisions in the cabinets of those States. For

¹ 1781, May 17, Haldimand to Sherwood in *Canadian Archives*, Report 1890, pp. 192-95; also *ibid.*, 1888, B-179, pp. 36-38, and Vermont Historical Society, *Collections*, vol. 2, p. 145.

² *Canadian Archives*, B-178, p. 478.

a party in New Hampshire became jealous of having the seat of Govt. removed westward to accomodate those people settled so far West of Exeter or Portsmouth, for which reason they would not oppose Vermonts taking them into jurisdiction, and they are now laying every intrigue in the Cabinet and in publick to git the Province of Main anex'd to N. Hampshire. In Massachusetts a respectable number are equally jealous that their seat of Govt. will be remov'd to accomodate the Province of Main. To prevent this they are willing and even desirous that Vermont should hold what she has engrossed to the Eastward and N. Hampshire have the Province of Main as an equivalent. In the State of N. York there is a formidable party against Govr. Clinton and a subtle partisan (to head them) who wishes to step into Clinton's shoes; this party to get an accusation against Clinton advis'd him to relinquish all claim to Vermont, which they insisted on till Clinton threaten'd to prorogue the Assembly. As soon as Vermont extended jurisdiction to Hudson's River, the party in opposition to Clinton loudly exclaimed against him for provoking Vermont to this daring step and publicly declared they would never lend any assistance to get this territory back till Clinton would relinquish his claim to Vermont, which he positively declares he never will do.

Col. Allen says, Gen'l Washington was exceedingly anxious to learn the business of the British flag to Vermont and examin'd every man on oath that came to his camp from that State for some time after, but did not finally appear satisfied with the accounts he obtain'd.

May 17. Major Lernoult arrives with a new commission in which he is included. Col. Allen is very anxious to know the reason of his being sent and desires me to represent everything in the most favourable light to him and assures me that whatever indifference he appear'd to shew on his first arrival arose from tenaciousness (as a publick agent) for the libertys of his country, but that he should consider it the greatest misfortune that could happen to him, should he be the means of breaking off the negociation, while there was the least prospect of succeeding, as he should be much censur'd at home. He expresses a desire to converse with Major Lernoult.

On May 17, Major Lernoult, Adjutant-General under Haldimand, arrived at Isle aux Noix to assist Sherwood, having been informed of the secret negotiations. The day after his arrival, he walked in the woods with Colonel Allen and, after a long conversation and endeavors to get the latter to make some proposition, at Allen's suggestion the following questions and answers were written out by Major Lernoult. These are not found among General Haldimand's papers, but are taken from Ira Allen's account of the interview.¹ Strange

¹ Allen's *History of Vermont* (London, 1798), p. 166.

to relate, the answers given at random on this occasion do not contradict his statement of May 11, which was probably carefully prepared. The language is diplomatic and the statements truthful.

Question: Did not the people of Vermont take an early and active part in the rebellion?

Answer: The people of Vermont were informed that hostilities had commenced at Lexington, by an express from the Governor and Council of Connecticut to Col. Ethan Allen, who requested him immediately to raise the Green Mountain Boys, and, without loss of time, to march and take the forts Tyconderoga and Crown Point, which Col. Allen complied with, and also took the Kings sloop of war with 16 guns, then flying off Fort St. John's.

Question: Have the people of Vermont continued their exertions in the course of the war?

Answer: No people in America have exerted themselves more than those of Vermont; they, with the assistance of the Militia from the State of New Hampshire, and from the County of Berkshire, gave the first check to Genl. Burgoyne's army by the victory at Bennington, and by other exertions, greatly contributed to the Capture of his whole army at Saratoga.

Question: What were the motives which stimulated the people of Vermont to such violent measures?

Answer: The inhabitants of Vermont principally came from Connecticut and the other New England States, and, as brethern, felt for them in a high degree when hostilities first commenced; besides, they were of the same opinion as entertained by their brethern of New England, that the Parliament of Great Britain had no right to bind and control the colonies in all cases whatsoever, and that representation ought to precede taxation.

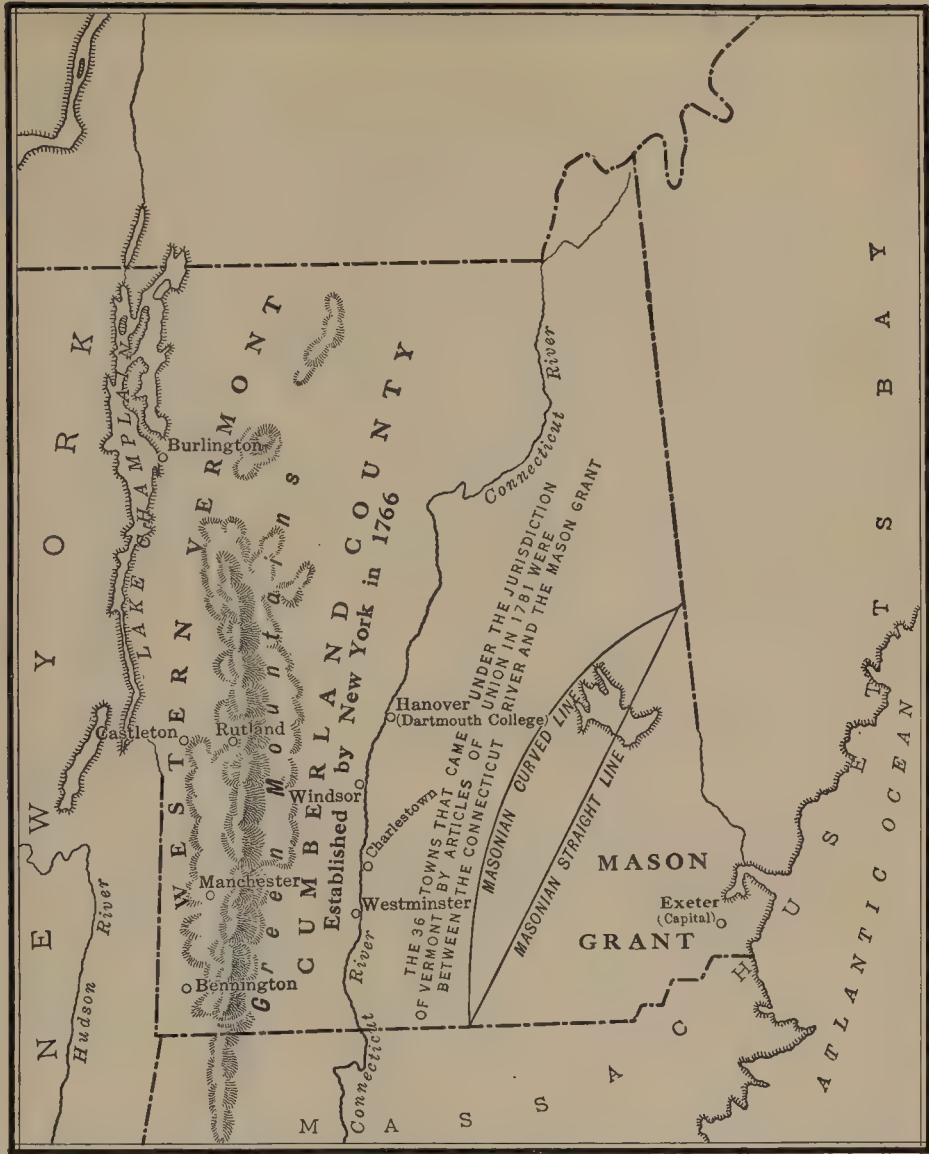
Question: On what principles do the people of Vermont act by endeavoring to obtain an armistice, and the privilege of being a colony under the crown, after taking so decided a part as you say, on similar principles to those of their brethern in New England?

Answer: When the people of Vermont first took an active part against Great Britain, they were in principles agreed with their brethern in the other colonies to oppose the claims of the Parliament on America, and fought in their Country's cause, expecting to enjoy equal rights with their neighbors in chusing and establishing their own form of Government, and in sharing with them all the advantages which might result from their united efforts in the common cause. But after all, they have found to their sorrow, by acts and resolutions of Congress, and proceedings of other states, that they intend to annihilate the new state of Vermont, and annex its territory to New York, whose government is perfectly hated and detested by the people of Vermont. To effect this plan, the frontiers of Vermont have been left naked and exposed to the wasting sword

of the British troops, with a view to depopulate the country, and give the New York monopolists possession. This usage being too much for human nature to bear, the Citizens of Vermont think themselves justifiable, before God and man, in seeking an armistice with the British, and ceasing further to support a power that has too soon attempted to enslave a brave and generous people.

Question: Should the commander in Chief consent to an Armistice with Vermont for the time being, and admit it to be a British Colony, with as extensive privileges as any Colony ever had, what would be an adequate compensation for the inactivity of the Army? and how soon can Vermont furnish a regiment to put on the establishment, and march with the army against Albany, and what other assistance can Vermont give in such an expedition?

Answer: The advantages to Great Britain by making an armistice, and receiving Vermont as a colony, will be great. After the propositions of Col. Beverley Robinson, in his letter of March 30, 1780 [Feb. 7] to Genl. Ethan Allen, the Cabinet Council of Vermont have not been inattentive to a peace and union with the British government. Governor Chittenden last July [September] sent a flag to the British commodore on Lake Champlain, with a letter to Genl. Haldimand, requesting the exchange of some prisoners, which produced a truce last autumn. Genl. Ethan Allen included the frontiers of New York to Hudson's River with Vermont, which produced very good effects, and made the people, among whom are many loyalists, on [in] that district, friendly and anxious to come under the jurisdiction of Vermont. The Legislature of Vermont, on their petition, and in Consequence of measures New York &c were pursuing against her, extended her jurisdictional claim over that part of New York; the territory thus added to the state of Vermont is bounded south by a line due west from the south-west corner of Vermont to the Hudson's River, thence up said river to its source, and by a line due north to the south line of Canada, thence east to the north-east corner of Vermont. Articles of union are forming, and no doubt but that district will be duly represented in the next session of the legislature of Vermont. In like manner has been added to the jurisdiction of the state, on petition of the inhabitants all the territory lying east of Connecticut River, and west of Mason's patent, which takes away, at least, one third part of the State of New Hampshire. These additional territories will give strength to Vermont and weaken Congress. The extent of country and the return of such a body of people to their allegiance, with the effects it may have on the people in the other states, many of whom are sick of the dispute, in consequence of the taxes and hardships already experienced, most likely will be of greater Consequence than the Operation of an army of ten thousand men. As to an army marching against Albany, it will operate against the Union of the New York district, and that of New Hampshire, now forming with Vermont. This business requires time and moderation, with the address of some discreet loyalists now in Canada, who may visit their friends in those dis-



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tricts, and let them know that Vermont is on good terms with the British. In Vermont are plenty of men who would be fond of commissions on the British establishment, and could raise a regiment in a few weeks; but this, with sundry other things, can be better ascertained after the session of the general Assembly, at Bennington, next June.

This last argument must have appealed compellingly to the British, and convinced them that only a little time was required in which their hopes might be fulfilled.

Sherwood's journal continues:

May 18. Major Dundas, Lernoult, Colonel Allen and myself enter on the business of the cartel, after which Major Lernoult has a short conference with Colonel Allen while walking in the fields. Received the General's answers, to letters of the 8th, as much of those letters as concerned Mr. Allen was communicated to him. I walked with him and I endeavored to persuade Colonel Allen to make some overtures to General Haldimand, but he still says he is not authorized, and cannot do any thing of the kind. He thinks the General will be convinced, by the reason he has given in writing, that the leaders in Vermont are doing all that is possible, to effect an union or neutrality, and that General Allen was obliged, for his own safety, to send Colonel Robinson's letters to Congress, as it was previously known in public that such letters had been sent to him. This was done by the voice of the Legislature, with their public approbation of General Allen's conduct in not detaining the man who brought the letter, which had a great tendency to weaken the prejudices of the people in favor of Congress. Governor Chittenden would have been happy to have had it in his power to give him private instructions for an accomodation, but he is, with his council, under the eye of the more popular Legislature, and cannot act as a British General can, for had he given such private instructions, he was not in a condition to support them, nor to keep faith with General Haldimand, without the consent of the Legislature, which they are endeavoring to unite in the plan of a re-union.

Although Allen knew any agreement he made would be carried out by Vermont, he was shrewd enough to cause the British to believe that he was only a messenger and could only act as far as his instructions went. On the same day Sherwood wrote Mathews the following letter:

I have the honour to acknowledge the rec't of your letter by Major Lernoult. You will see by letter of the 8th, 11th and 15th, the conduct I have observ'd with Col. Allen. He now makes use of every art to persuade me that Vermont is sincere and will send commissioners to treat on Pacifick measures, as soon as they are ripe (as he terms it) I suppose (or at least fear) they will not be fully ripe

till they despair of success from any other quarter. Col. Allen says Gen'l Washington is an implacable enemy to Vermont. He was exceedingly anxious to learn the business and proceedings of the British flag to Castledon and examin'd every man under oath that came to his camp from Vermont, of what they knew or had heard of, of themselves, conjectured to be the business of the flag. When Mr. Allen first arriv'd here, he manifested a sort of consequential haughtiness in behalf of Ver't, that I had never formed the least idea of which obliged me (after trying gentle measures) to let him know with some spirit that it was [not?] necessity, but clemency and humanity that induc'd Gen'l Haldimand to proffer terms to a people from whom he had no reason to expect any great assistance at best. Allen has for some days past shewn a better spirit and manner of behavior.

I am exceedingly sorry, I did not receive your letter till Quinn [a spy] was gone, I wanted very much to communicate to him some of Allen's observations and desire him to compare them with what he could learn in the Country. No man can have a greater opinion of his loyalty and artful clever kind of shrewdness than I have, but my injunctions of secrecy were so positive from the Gen'l, that I dare not without permission hint this business to Quinn or any other person on earth. I am thankful that his Excellency has been pleased to send Major Lernoult and already feel myself eas'd of much anxiety and shall in the cautious manner you point out communicate daily to him whatever I learn.

I have sent the party this day for Con't River, with much the same instructions I enclos'd to you, they have gone in company with Mr. Church and party. I have directed them to make very strict enquiry of Judge Wells, Judge Jones and others. I have enclosed the remainder of my Journal to this day and as I shall now make all my reports in writing to Major Lernoult, shall not probably have occasion to trouble you with another letter during his residence here. Mr. David Breckenridge will undertake to go and procure intelligence from his father in Bennington.¹

On May 19, Sherwood's journal states, 'Colonel Allen sends a letter to the Commissioners with new proposals for exchange.' The following day Allen wrote the three Commissioners:

When I consider the contents of General Haldimand's letter to Major Dundas, which you read to me yesterday on the subject of a cartel, I am at a loss to determine from whence at least one idea originated, viz: that of a truce, as I did not conceive that any such construction could be put either on my letter to Major Dundas and Capt. Sherwood or the proposals for settling a cartel then enclosed.

On the perusal of your answer to my proposals for settling a cartel for the exchange of prisoners, and on an examination of a

¹ *Canadian Archives*, B-176, pp. 93, 95.

copy of your powers for that purpose, am some at a loss how far you would be willing to proceed at this time; also considering you much the oldest in service, and of course more acquainted with forms, should therefore, be happy to receive a proposal from you.¹

To this letter Dundas made the following reply on May 21:

In answer to your letter of yesterday, we are of opinion that the word '*truce*' neither originated from your letter to Major Dundas and Capt. Sherwood of the 8th inst. nor the proposals accompanying that letter.

That you need not be any longer at a loss how far we are willing to proceed, we hereby inform that we are furnished with every necessary list of prisoners taken from the State of Vermont and with their different accounts &c.

We are consequently fully prepared to enter on the business of any exchange at large, it cannot therefore, be supposed that we have any proposals to make, we can only observe that no exchange or cartel can take place till Gov. Chittenden sends commissioners so authorized and furnished, as to be able to treat with us on equal terms, at which time Governor Chittenden can forward his prisoners to our shipping on Lake Champlain by a flag of truce, where they will be equally exchanged, or permitted to return with the commissioners, but we recommend that the prisoners be sent by the 10th of July next, at the farthest.

No women and children will be accepted as prisoners, nor any men but such as have been taken in British service.

No prisoners will be delivered from us to you that belong to the Continental Army, or to any of the 13 United States.²

On May 20 (evidently this date should have been 21st, or the above letters are wrongly dated), Sherwood's journal records that Allen receives Dundas's answer, 'which seems to give him much uneasiness. He says he never shall be able to persuade his employers that General Haldimand wishes to treat on any terms with them, except he is able to show them some certainty of exchange when the prisoners shall be produced.'

May 21, Mathews wrote Sherwood the following letter for the perusal of the Commissioners:

I have had the honor to lay before His Excellency, General Haldimand, your letter of the 15th, instant, communicating for his information hints and innuendo thrown out by Colonel Allen respecting a further negotiation with the state of Vermont, of more consequence than the present, and his wish to keep a door open for

¹ *Canadian Archives*, B-175, p. 85; also Wilbur Photostats, University of Vermont.

² *Ibid.*, B-175, p. 86.

intercourse by means of a cartel. Upon the subject of a cartel I have already transmitted to the commissioners His Excellency's determination, and I am now commanded to acquaint, that although he will not consent to the establishment of a cartel, upon the ground proposed, yet he wishes to encourage the hope you seem to entertain of that people returning to their allegiance, either from a sense of their error, or a view to their interest. His Excellency therefore wishes you to improve such overtures as may be made for that end by Mr. Allen, but at the same time guarding carefully against the art and duplicity those people possess, and avoiding delay, which seems to be their favorite object, but which from the present appearance of affairs cannot favor their interest. For if they terminate, as there is the greatest reason to expect they will, Vermont must be considered indiscriminately with the people of America, and their difficulties with the then contending states will still subsist, while the other parts of America enjoy peace and tranquility.¹

At the same time he wrote him another letter, marked 'private,' on 'the subject of a re-union of Vermont State, with the Mother Country.'

With respect to the permanent cartel wished for by Vermont as proposed by them, the General has already determined and his reasons for not complying therewith have been communicated to Col. Allen. He is nevertheless desirous to accomplish the re-union already proposed to the people of Vermont, but fears that delays will prove fatal to his wishes in their favor. The terms for reconciliation which His Excellency has held out to them are undoubtedly sufficient to secure to them their liberties and properties, and he desires you would communicate to Colonel Allen his ardent wish that the people of Vermont lose no time in acceding to the conditions so consonant to their well being. There is from the last accounts from Europe, great reason to think that a general negotiation for peace has commenced under the mediation of the Emperor.

Whatever the terms of peace may be, the people of Vermont must be left in the same unfavorable situation they were in before the present troubles, except that by speedy determination to resist the tyranny of Congress, and to accept the terms offered them, they secure to themselves a separate Government and jurisdiction independent of the other States.

His Excellency has no wish to deceive or any views in proposing to reclaim this State, but that of re-establishing the happy government they once enjoyed and by its influence to redress the grievances imposed on them by their neighbouring States as fully expressed in his original [Dec. 29, 1780] instructions to you. His Excellency therefore expects that the result of their deliberations in the meeting to be held in June will be immediately communicated to him with

¹ *Canadian Archives*, B-179, pp. 40-41; also *ibid.*, p. 196; Vermont Historical Society, *Collections*, vol. 2, p. 126.

sincerity and candour in the mean time, it is to be considered (and it will be publickly declared) that there is not any negotiation in Treaty subsisting between His Excellency General Haldimand and the State of Vermont.¹

May 22, Sherwood's journal reads:

This day I had a long conversation with Colonel Allen, for the heads of which see my private letter to Major Lernoult, and Allen's private note of this day.

Ira Allen to Major Lernoult, May 21:

The Legislature of Vermont will by the 20th of July have another session and just have time to send to the shipping. If there is not a certainty that prisoners will be then exchanged, it may be very prejudicial to more important matters &c. &c.²

The following letter from Ira Allen to Major Lernoult (through Sherwood, May 22) is important as it records the exact impression that Ira Allen wished finally to leave with the British:

Colonel Allen says he wishes to give Major Lernoult a clear idea of the present situation of affairs [in Vermont]. As he means to act with candour, it would be folly for him to pretend to say officially the exact time commissioners will be sent, nor can he positively say whether they will come with full powers to re-unite with Britain, as the idea of neutrality must first be adopted. He foresees that much difficulty will arise respecting the time they are to continue this internal neutrality, for as he wishes to be clearly understood and to convince General Haldimand that he acts on equal principles of sincerity with him, he will again plainly express the impossibility of bringing over at once a prejudiced populace so fully prepossessed in favor of Congress. At present one half of the Assembly is not acquainted with the designs, and a number of the council yet remain ignorant, nor has it yet appeared safe to open the affair to them. This will be attempted next session, but must be gently and cautiously managed, and how far it will succeed he is not able to determine; He will, however, engage that General Haldimand shall hear from them by some means or other by about the middle of July, or sooner; he thinks the commissioners will, by that time, be sent to exchange some prisoners, (providing he has a certainty of their being exchanged,) and will have power finally to determine whether Vermont is to be admitted as a province, or not. But that his brother or himself may not be at a loss to convey intelligence when necessary, he proposes the following token by his messenger, vizt: three smokes on the east side the lake opposite the shipping, and at the middlle smoke a small white flag hoisted on a staff. He would

¹ *Canadian Archives*, Q-18, p. 198.

² *Ibid.*, B-176, p. 108.

propose to have the commandant on the lake instructed to receive such messenger immediately on board, and not interrogate him concerning his business, and send him to Canada, or forward his letters, as the messenger shall choose; and he would expect the messenger would be permitted to return as soon as possible, as delays would have a tendency to create jealousy. Colonel Allen begs Major Lernoult will return the papers he gave him to peruse as he has no copy of them with him.

These may have been the 'questions and answers' of May 17. Sherwood added:

SIR: I have put this on paper for your inspection and can only observe on my part that Colonel Allen seems to be very sincere and exceedingly anxious to convey his ideas in such a manner as may be clearly understood without any deception. As you frequently do me the honor to ask my opinion, I shall at this time presume (before demanded) to give it in favor of Colonel Allen's proposal for conveying a message when necessary.²

On the same day Allen communicated again through Sherwood:

May 22. I am desired by Mr. Allen to inform you that his not coming to any decision respecting an exchange will very much dishearten those who were the most forward for a British Government, and entirely dispirit those who were not so well confirmed in their opinions; he therefore sincerely wishes that the spirit of his last letter to Mr. Dundas may be agreed to, in such a manner, and in such words, that no doubt can raise in their assembly in Vermont. He declares on the honor of a gentleman, that he will represent in the clearest view possible, General Haldimand's instructions to me, and likewise the candour which appears in the General's last letter, in compliance to which, and in justice to the General, he proposes to undeceive the neighboring states respecting a standing truce between Great Britain and Vermont. He is very sorry he can not have a copy of the General's instructions to me, and as he can not have that, would be glad of a copy of the General's last letter to me. He says nothing shall be wanting on his part to have commissioners sent as soon as possible, but he knows they can not be fully furnished sooner than the time he mentioned, and is not certain they can be so soon. He therefore hopes impossibilities will not be expected from him.²

No written answer was given to the two preceding letters, but according to Allen's account there was a 'Verbal agreement.' On the same day, May 22, Sherwood wrote the following letter to Mathews to satisfy Major Dundas to whom Major

² *Canadian Archives*, B-176, pp. 114, 116.

² *Ibid.*, p. 109.

Lernoult, by mistake, had shown Ira Allen's letter to Haldimand of May 8:

As commanded by his Excellency, the Commander in Chief, I have made it my study to dive into the designs of Mr. Allen and have faithfully reported my suspicions to you and Major Dundas, little suspecting that I was to be consider'd (even by Allen) as nothing more than a cypher or a note of interrogation on him, which now too plainly appears to me from a copy of a letter transmitted by you to Major Lernoult, which it seems has been sent from Mr. Allen to Gen'l Haldimand and contains the following paragraph; 'I have seen your instructions to Major Dundas and Captain Sherwood and find myself much embarrass'd that the Major and him are not on one footing.' From this and sundry instances of his very different mode of treatment to me, from that which he observes with other officers here, I can easily discern in what light he views me, and I must say it touches me most sensibly to see myself the contempt of my rebel countrymen and that for no other reason than my not waging war against my sovereign as they have done, for I can without vanity say that Mr. Allen and the best of his present connections, thought my acquaintance and friendship worth cultivating, before I declar'd against their unlawful proceedings.

I wish to enter on some explanation with Mr. Allen, but Majors Dundas and Lernoult will not consent that I should let him know that I have seen the copy of his letter. They appear to be much at a loss as myself to account for the letter or his meaning, and whatever Mr. Allen has been pleas'd to observe of the unequal footing of Major Dundas and me, I must in justice and gratitude say that the Major has always treated me with the greatest politeness and I have always been happy to find that I fully corresponded with him in my opinion of the flag and I cannot conclude this subject without doing the Major the further justice to observe that he wrote the same day that I did to Col. St. Leger on the subject of removing Lyman and the escort from this Post, which was not answered to him, nor comply'd with to me. But for my part I don't know what Allen would have said more, if Lyman had been remov'd at least, I know he has constant opportunity to say what he pleases to me, when walking, which I don't find him very anxious to improve, but it appears that he can find opportunitys unknown to any but himself, for writing. At least I can say for myself that he never hinted to me his having sent a letter to Quebec. In another part of his letter he says, 'I have conversed freely with Capt. Sherwood, and hope this will make way for some[thing] further.' By this paragraph he seems to intimate some secret intercourse with me, by which he expected to gain some end, or bring about some hidden event unknown to the Major. I confess, I am at a loss for his meaning, and most sincerely regret my ever being alone one moment with him, for I know that nothing I can say will prevent those who become acquainted with this affair from making their own comments on my conduct. I know my own sincer-

ity and uprightness and I hope you will not doubt it, for I do assure you upon my honour that I have not had any kind of conversation of moment or worthy of notice, but what I have communicated to the Major and you, and I beg you will please to write to me on the subject.²

On the same day Major Dundas wrote to Mathews:

I was not a little surprised to find out this morning that Col. Allen had the day after his arrival here, wrote a letter to the General which he kept secret from us, and in which is the following paragraph:— '*have seen your instructions to Major Dundas and Capt. Sherwood, and find some embarrassment by their not being both on one footing.*' I must own I don't comprehend what he means, by that expression. The first day we met, after having produced the lists, accounts etc., I found Col Allen very much at a loss how to make proposals to us, of which I believe I have already acquainted you. I then said he had better take the lists etc., and peruse them by himself, and he might at his leisure make his proposal to us in writing, imagining his delicacy would be less hurt by that method; he acquiesced and next day wrote to Capt. Sherwood and me the letter and articles, which I had the honor to inclose to his Excellency. It seems he had the same day wrote his letter to the General, which I think a strange one. In another part he says: '*I have freely conversed with Capt. Sherwood and hope this procedure will make way for something further,*' by that, it would appear that I was the embarrassment, but I can't find his conversations with Capt. Sherwood have been of any consequence. Here I must observe that Capt. Sherwood has taken all imaginable pains with him to make him act with propriety, and has had no small share of trouble on his account, not to mention the confinement and constraint, Col. Allen's stay on the Island has occasioned to him. Capt. Sherwood is very much dissatisfied with his conduct and has given proofs of his zeal for his Majesty's service. In Mr. Allen's letter to us dated the 20th inst, he says: '*When I consider the contents of Gen'l Haldimand's letter to Major Dundas, which he read to me yesterday, for the subject of a cartel, I am at a loss to determine from whence at least one idea originated, with that of a truce and did not conceive that any such constructions could be put either on my letter to Major Dundas and Capt. Sherwood, or the proposals for setting a cartel then inclosed.*'

He seems to have forgot that in his letter to the General, he wrote the following paragraph: '*And would propose whether in the interim, it would not be to the mutual benefit of the contending powers to keep their troops within their respective lines.*' On the whole, it appears to me that Col. Allen has acted a double part and I am now fully convinced that my first ideas of him were just, I know they were a cunning artful, designing people, and was fully determined to be on my guard with whatever Commissioners might be sent.

² *Canadian Archives*, B-176, pp. 111, 113.

When Capt. Sherwood first found that Lt. Lyman was a restraint on Mr. Allen and him, he wrote to Col. St. Leger, wishing that L. and his party might be removed, and I believe, mentioned either to Point au Fer or Crown Point and finding an opportunity immediately sent off his letter, a letter which I promised to write to the Colonel was then ready, but I knew I would have an opportunity an hour afterwards. When I wrote that I did not think Point au Fer a proper place for the escort, as there were no regular troops there, neither did I think Crown Point a proper place as they would have opportunity of seeing any partys, which might be sent to or might return from the colonys, and that they might otherwise send what information they pleased to their own country, but that if they could be sent on board the Commodore's ship it would be very agreeable to Col. Allen and answer the end proposed. To this letter, I received no other answer from the Col. than his mentioning in a poscript of his to Captain Sherwood, that he was quite of my opinion, or words to that purpose. I only mention this as I find Capt. Sherwood is now writing to you of his letter to Col. St. Leger, and it is possible that the Col. may have wrote to you of it before now.

In order that our party sent off last night may get two days start of them we are determined to detain the flag till Thursday, or longer, if necessary.¹

P.S. I beg you will be so good as to communicate the contents of this letter to his Excellency, Gen'l Haldimand.²

Sherwood wrote the following private letter to Mathews on May 23:

By mistake, Major Lernoult has exposed to Major Dundas, Allen's private letter to the General, which has oblig'd me to write the letter that covers this. Major Dundas has read it and appears somewhat satisfy'd, but still it is plain that he has a close jealousy of me. I have but a moment's time to write this private letter for an explanation of the publick one. For God's sake, what can I do, I am obliged to put a force on my nature and act a deceitful part with my friend as well as my foes. I am certain I have this day told two of the most palpable lyes that I ever told in the course of my life, by positively denying, when examin'd by M. D.'s, that I had ever seen A.'s letter to the General, or had ever sent or rec'd any letters myself, but what I had shewn to him. How could I do otherways than deny it, consistent with his Excellency's positive orders to me. Have I done my duty or not, I entreat you to tell me freely. I know if Major Dundas (for whom I have the greatest respect as a man of the most strict honour and candour) knew, he would forever detest me. I beg you will answer my publick letter in such a manner as may be shewn to Major Dundas and (if possible) convince him that I was not privy

¹ Dundas sent a party to Arlington to learn what Allen reported.

² *Canadian Archives*, B-132, pp. 99-101.

to Allen's letter to the General. I shall implicitly follow the advice of Major Lernoult till I hear from you. I acknowledge the honour of his Excellency's letter, which I have communicated to A'n in full. I find the candour and spirit of the letter has a good effect on him, he is anxious to get a copy of it, but I shall not give it. I have communicated his remarks in part to Major Lernoult and shall give him the remainder as soon as I can, but I am obliged to steal my time and place for writing and after I have wrote it, it is very difficult to find an opportunity to slip the papers into Major Lernoult's hand unseen and he informs me that he finds still more difficulty to enclose them. I dare not enclose a larger paper than this and can only observe that I am convinced Allen cannot make any official proposals for a Union till he returns. From his present appearent candour and anxiety, I am inclined to believe he will use his influence to bring over that people and to get commissioners appointed at their next Assembly and properly authorized to treat on this subject, at least I hope this may take place, but I am not so sanguine in hope or faith as to even wish for the truce mentioned in Allen's private letter, for I know that Allen has altered his tone very much, since he saw from the spirit of the General's letter that his Excellency's was not to be trifl'd with, and I am persuaded that the most vigorous measures are the best arguments that can be used with those people under their present embarrasments I wish I had time to send the remainder of my journal, but I have not.¹

Mathews then wrote to Major Dundas on May 25:

Yesterday I had the honor to receive and lay before His Excellency, General Haldimand, your letter of the 21st instant, by express, covering Col. Allen's letter to the Commissioners; after perusing their answers to the articles of agreement proposed by him, and their answer thereto. His Excellency's approbation of which, I am commanded to signify to the Commissioners and likewise of the measures they have taken by sending a scout to procure knowledge of Mr. Allen's report and behavior upon his return to Vermont.

Mr. Allen being so ill prepared to extend the business of his mission, leaves nothing to be added on the part of His Excellency, which has been already communicated to the Commissioners, he therefore concludes that the flag is set off as mentioned in your letter.²

Mathews again wrote Dundas on May 28, to pacify him:

Agreeably to your desire, I communicated to His Excellency your letter of the 22nd inst. respecting the letter written to him by Col. Allen and I am commanded to acquaint you that the General is sorry it should have occasioned the least uneasiness to you or to Captain Sherwood, particularly as its contents does not appear to him of the slightest moment, but like his other performances to the

¹ *Canadian Archives*, B-176, pp. 117, 119.

² *Ibid.*, B-132, p. 106.

commission full of unmeaning mystery from which it is but too plain that the business of the flag was conjectured by you and Captain Sherwood to gain time, and leave an opening for reconciliation failing in their point with Congress. Capt. Sherwood seems much hurt, particularly least any part of his conduct suffer in your opinion, for which he has the highest respect. The General desires you will do away this idea in him having the highest opinion of his zeal and loyalty and wishing upon no account to give him the smallest room for discontent.

If the escort had been put on board, I do not believe it would have made the least difference, procrastination was Mr. Allen's object, and to effect it it was necessary to advance something more attracting than his proposals for a cartel; the moment the General hears the flag is dismissed, he will send off yours.¹

Dundas 'was angry to think Colonel Allen had written off the island without his consent, and declared to the officers that he would confine Colonel Allen in irons.'² The officers urged the impropriety of this, as the letter went to the commander-in-chief and was answered by him.

Mathews wrote a 'private' letter to Sherwood on May 28:

I received and communicated to the General your last letter. He is much concerned that any mistake should have happened that can occasion to you the least uneasiness, but as you have not taken any one step in the business you are engaged in without his Authority and desire and that he is perfectly satisfied of the rectitude of your Conduct, he desires you will make yourself perfectly easy in what has happened, nor indeed is the purport of that letter written by Col. Allen to the General of such import as to give rise to Jealousy, on the part of M. Dundas, who tho' not acquainted with your Private Instructions, must know and must wish you to obtain from Allen in private Conference, any matter respecting the State of Vermont, which could serve to bring about a re-union or advance the King's Interest. All that appears to me necessary to conceal is, that you were Privy — to his sending the letter, and that only, because you first happened to say so, for as I before observed, there is so little in the substance of it, that I declare I thought myself it had been known to the Commissioners. I shall write such a letter, as you desire, to Major Dundas, and should he after all harbour any suspicion, it can very easily be cleared up, and instead of condemning, he must applaud your conduct. The numberless Intricacies and difficulties you have experienced in finding opportunities both to read and write must naturally embarrass you. Mr. Allen should recollect that all this Secrecy is observed at his particular desire, and should have avoided taking notice of the word *Truce*, if he intended that

¹ *Canadian Archives*, B-132, p. 109.

² Allen's *History of Vermont* (London, 1798), p. 165.

his writing to the General should be kept secret, or he ought since he did write to have done it more candidly, openly and Confidentially.

Concluding that the Flag is gone, nothing farther remains to be said or done untill their resolves are made known to the General, believe me with much regard etc.¹

Mathews on the same day wrote a letter to Sherwood to be shown to Major Dundas. These letters are inserted to make clear General Haldimand's attitude in protecting the Vermont Commissioner and preventing his negotiation with Vermont from becoming a topic of conversation among his own officers.

I have received and laid before His Ex. General Haldimand your letter of the 22nd inst., signifying your concern and disappointment, on your idea of being considered as a cypher or interrogator of Col. Allen and this on account of a letter which he wrote to the General, His Ex'cy desires I would acquaint you that from a perfect confidence of your Loyalty and of your Zeal for the Service, and likewise from your knowledge of the people from whence the Flag of Truce was expected, he thought you a fit person to be joined with Major Dundas and Lernoult in the Commission to transact the business of the intended exchange of Prisoners, in which, he considers you in every respect upon a footing with them. Your personal knowledge of the affairs and connections of the State of Vermont, together with your anxiety to come at a knowledge of matters that might tend to the advantage of Government, has probably led you to be more inquisitive than the other two Gentlemen could have been, and Mr. Allen may have taken this in a very different light from your intention, and have conceived that you were instructed to make enquiries.

His literary intercourse is so very incorrect, and indeed incoherent, that you ought not to pay the least attention to it. If his letter to the General had any meaning at all, it was by hopes of procrastinating, to fulfill the purpose for which it first appeared to you, and Major Dundas and indeed must be evident to all the Flag was sent. For the General approves much of Major Dundas and Lernoult not agreeing to your coming to an Explanation with Mr. Allen upon the subject of his letter, it really not being worth while.²

On May 25, Sherwood wrote to Mathews:

I acknowledge the favour of your letter of the 21st inst. I have given the last part of my journal to Major Lernoult, in which I have mentioned the use I made of your letters, but forgot to mention that I gave Col. Allen in writing the heads of your last letter. I could not possibly find an opportunity to consult Major Lernoult, but I thought that the heads and spirit of that letter would be of service to Allen in Vermont Council and could not possibly do any damage

¹ *Canadian Archives*, B-179, p. 45.

² *Ibid.*, B-179, p. 47.

to his Majesty's service or to any individual. I have been very particular to minute down in my miscellaneous journal all Allen's observations (that I thought could ever be of any information to his Excellency) with the spirit and manner of his expressing them. I am fully sensible of the unmerited honour his Excellency does me in placing confidence in my opinion of Vermont and sincerely wish it were in my power to lay open to him the whole designs of that people. But I am sorry to say that after all my endeavours, I am still as much at a loss as ever, I believe Allen has gone with a full determination to do his utmost for a reunion and I believe he will be seconded by Gov. Chittendon, his brother, E. Allen and a few others, all acting from interest without any principles of loyalty.

I think Allen doubts much of success and I am afraid that none of them will have fortitude enough to open the matter fairly in their June Assembly. I find from Allen that there is a number of their Council and Assembly, who are not only in favour of Congress, but would make every opposition or do any thing to ruin Chittendon and the Allens, this I had as a secret, which I was never to speak of to any man in the world. Upon the whole, I have not seen anything since my last letter to change my wish, that vigorous measures may be held up to the view of those people, while they are offered other terms.¹

On the same day he wrote again enclosing his journal:

I have the honour to enclose to you, the last of my journal, relating to my proceedings with Col. Allen, with the signal agreed on, betwixt him and me. You desired, I would give my opinion of the intention of Vermont, I confess I am almost as much at a loss as I was before I had taken so much unwearied pains to inform myself, for sometime after Allen's arrival he was reserv'd haughty and intricate, but for some days past he has been apparently open, candid and sincere, this has (to me) somewhat the colour of design, however, he says it is the Gen'l's candid and generous method of proceeding, that in a manner obliges him to be open and act himself.

From every appearance, I believe Allen would gladly bring back that people to Govt. if he could and I well know it would be much in favour of his landed property, but I think he very much doubts ever being able to accomplish anything farther than their favourite neutrality.²

In the same letter he enclosed a report by the spy, Thomas Loveless, informing of the New York territory union with Vermont, and stating also that great numbers were moving into Vermont, and that the people were so sure of peace between Vermont and Great Britain he could get no recruits.³ His journal records:

¹ *Canadian Archives*, B-176, p. 120.

² *Ibid.*, B-176, p. 122.

³ *Ibid.*, B-178, p. 483.

May 23. Colonel Allen expatiates on the dangers and difficulties attending the bringing about a revolution, as a number of the council, and the major part of the Legislature have not, as yet, the least idea of any thing further than neutrality, and many of them are ignorant of that. He expresses fears that it will not be accomplished, though he sincerely wishes it may. He still thinks the principles on which America first took arms are just, but he sees, with regret, that Congress has learned to play the tyrant, and is convinced it is for the interest and safety of Vermont to accept of General Haldimand's terms. I told him he talked well, but I wished he had said as much when he first arrived, for, however convinced I may be of his candour, the change gave some room for suspicion that he now acts from design. He replied that General Haldimand's candour demands the same from him, and that he has not altered his sentiments, but only throws them out more freely than he at first intended till he had further instructions from his employers; but the candid, open manner in which the General had written, forbid his acting with any disguise.

May 24. Colonel Allen much the same in conversation as yesterday, but observes that, as he knows the General will very soon hear what reports he makes, and how he conducts himself after he gets home, he wishes me to clearly inform the General with the method he must take to comply with his demand of undeceiving the other states respecting the truce, &c. He says he must, as far as he dares, possess the minds of the people with the idea of a re-union. He shall therefore tell their own officers commanding at Castleton, that he can not tell what may take place, but they must keep themselves in rediness for all events. But to the other states he shall positively declare that no truce, nor probability of one, subsists between General Haldimand and Vermont, and this he should have done for their own safety. But in compliance with the General's desire, he shall be very particular in this declaration.

May 25. I communicated Ct. Mathews' letter to Colonel Allen, respecting news. (Mathews private letter to commissioners May 21st.) He says the news gives him no further anxiety than to excite in him a desire to know how this war will terminate, for under the present uncertainty of Vermont, he does not know whether this news is favorable or otherwise. But he well knows that he and his family have large fortunes which they do not intend to lose, if there is a possibility of saving them. At all risks he is determined that Congress shall not have the parceling of his lands to their avaricious minions.

I then showed him Captain Mathews's letter of the General's sentiments. [probably the first letter of Mathews, dated May 21st,] He appeared very much pleased with it, and engaged his honor that the General should hear from their Assembly by the 20th of July, and as much sooner as possible, but did not think he should be able to send any certain account of the result until that time, as they are not to assemble till about the middle of June, and must sit some time

before the business could be fairly opened to the whole House, after which it would necessarily occasion long and warm debates, let it turn out as it might in the end. Mr. Allen and myself have agreed on a signal for his messenger, which we put in writing, and both signed. Should General Haldimand find it absolutely necessary to send a private express to Vermont, Colonel Allen desires it may be by a man of trust, who may be directed to make himself known either to Governor Chittenden, Colonel Allen or General Allen, or one of the following gentlemen, Colonel Brownson, Dr. Fay, Judge Fassett, or Ct. Lyon. The contents of the message should be a secret to the messenger, written upon a small piece of paper, which he should be directed to swallow, or otherwise destroy, if in danger of being taken by a scout from New York, and he should be very careful to shun the Vermont scouts. On these conditions Colonel Allen engages that the messenger shall be immediately sent back. Colonel Allen after expressing much satisfaction with the polite treatment he had received, embarked about 12 o'clock.

Thus we have followed Ira Allen on his mission from May 1 to May 25, when he left Isle aux Noix for Vermont. He desired to take Captain Gideon Brownson, who was a prisoner in Canada, home with him, but this was not permitted. Allen well knew spies would be sent to Vermont to watch his every move and report all they heard. Major Dundas agreed that all prisoners, even if they arrived on July 20, would be exchanged.¹ Dundas wrote Mathews, May 25, that he was 'glad the visitors have gone. Ira Allen and escort left for Vermont this afternoon.'² On June 5, Sherwood wrote Mathews:

Your private letter of the 31st May, expressing in so kind and agreeable a manner his Excellency's gracious approbation of my conduct with the flag (ineffectual as it has been) gives me, you may be sure, more real pleasure and satisfaction than I can find suitable words to express, or than anything in this world can equal, except the accomplishment of the business which I was intrusted with, and which I am not without hope may yet in some measure (if not in full) be effected.³

Ira Allen wrote, in 1798, in his 'History of Vermont,' the following account from memory:

Thus terminated this negotiation in May, 1781, after seventeen days, on a verbal agreement, that hostilities should cease between the British and those under the jurisdiction of Vermont, until after the session of the Legislature of Vermont, and until a reasonable time after, for a commissary of prisoners to come on board the Royal

¹ *Canadian Archives*, B-132, p. 102.

² *Ibid.*, p. 104.

³ *Ibid.*, B-176, p. 128.

George in Lake Champlain, and even longer, if prospects were satisfactory to the Commander in Chief.

In the mean time Vermont was to consolidate her unions to weaken Congress, permit letters to pass through Vermont, to and from Canada, and take prudent measures to prepare the people for a change of Government. The Commissioners parted in high friendship, and Major Dundas furnished Colonel Allen and his suite with ample stores to return home. On Colonel Allen's return to Castleton, Captain Hurlbert and others waited on him, and desired to be advised whether to remain or remove to the interior parts of the country; the Colonel advised them to remain quiet on their farms; that the Governor and Council would provide the best means for their safety; that they must not be surprised if there was not a powerful army to protect the frontiers; should any event make it necessary for the safety of their families, to move, they might depend on seasonable information: he had a similar interview with Major Heber Allen, the Rev. Mr. Hibbard, &c, in Poultney.

The Colonel went to Sunderland, and made his report to the Governor and Council, who took measures to carry into effect the stipulations he had made. In June, the Assembly met in Bennington, and received the Representatives from the east and west Unions.

While the articles of agreement for settling a cartel (see page 215) were not signed, the British not being certain of Allen's sincerity, it was carried out by both parties and was a splendid achievement for Allen.

CHAPTER VIII

NEW HAMPSHIRE, NEW YORK, AND THE BRITISH (concluded)

1781

A RECAPITULATION of events occurring while Ira Allen was on his Canadian mission, from May 1 to June 3, the day he arrived home, is herewith given in order that the reader may fully understand the character of Allen's service. On May 4, General Schuyler wrote General Washington:

The conduct of the Vermontese is mysterious, and if the reports which generally prevail are well founded, their measures will certainly be attended with dangerous consequences to this and the other United States. I cannot, however, believe that the bulk of the people are in the secret. I rather conjecture that the person whom we suspected last year [Ethan Allen] to have been in New York, and some others, are the only culpable ones, and that they amuse the people with making them believe that the whole of their negotiation with General Haldimand is merely calculated to give Congress and this state [New York] the alarm, that the independence of Vermont may be acknowledged. I was anxious for ceding the jurisdiction beyond a twenty-mile line from Hudson's river, that their independence might be immediately acknowledged, and they made useful to the common cause; but the governor put a stop to this business, 'as the affair was referred to the decision of Congress.' I sincerely wish they would speedily decide, acknowledge them independent, and admit them into the union. If this was instantly done, the measures of their leaders would be brought to the test, and we should know if they had only [in]tended to bring about their independence, or connect themselves with the enemy. But, unless Congress are pushed to a decision, I believe they will do nothing in it; but who is to urge them, I know not. The Governor [Clinton] can not do it officially, and our delegates I believe, will not, unless they believe that the decision will go against the Vermontese.¹

Washington replied that he wished Congress would decide and add the strength of the Vermonters, as it would 'make the enemy extremely cautious how they advance far in that quarter.'¹

¹ Sparks, *Life and Writings of Washington*, vol. 8, p. 42; also Vermont Historical Society, *Collections*, vol. 2, p. 107.

The New York delegates were not in attendance on Congress in May, 'consequently no mention has yet been made of Vermont,'¹ wrote Livermore to Weare.

On May 13, Governor Clinton wrote General Schuyler, 'From a great variety of circumstances, I am left without a doubt that the leaders of the faction on the Grants maintain a criminal intercourse with the enemy, both in Canada and in New York.'²

On May 15, the day the Convention at Cambridge, New York, voted to join Vermont, Ethan Allen, from Bennington, wrote to General Schuyler:

A flag which I sent last fall to the British commanding officer at Crown Point, and which was there detained near one month, on their return gave me to understand that they, [the British] at several different times, threatened to captivate your own person; . . . I shall conclude with assuring your honor that notwithstanding the late reports, or rather surmises, of my corresponding with the enemy to the prejudice of the United States, it is wholly without foundation.³

This was an imprudent letter to send while his brother was in Canada, as the British might have captured it. On May 19, Schuyler wrote to Clinton,

Major McCracken stated that [Ethan] Allen had been trying to seduce the people of the state from their allegiance to New York; that he asked Allen what course he should take 'if the enemy attempted to penetrate in the country.' Allen replied that he would neither give nor take any assistance from the state of New York. The defection of the inhabitants on the east side of the river is becoming very general. The convention which met at Cambridge . . . members are causing [being chosen] to go to Vermont assembly.

Schuyler added he could not longer risk himself and family remaining at Saratoga and proposed to move.⁴

Schuyler found that, if he left Saratoga, the inhabitants also would not remain and decided to stay a few days longer.⁵ On May 21, in a letter to Washington, he enclosed a copy of

¹ *Weare Papers*, vol. 9, p. 115, New Hampshire Historical Society.

² *Clinton Papers*, 3707, New York State Library; also Vermont Historical Society, *Collections*, vol. 2, p. 130.

³ Vermont Historical Society, *Collections*, vol. 2, p. 131; also *Ethan Allen Papers*, 351, Vermont, Secretary of State Office.

⁴ *Ibid.*; also *Clinton Papers*, 3729, New York State Library.

⁵ *Clinton Papers*, 3735, New York State Library; also Vermont Historical Society, *Collections*, vol. 2, p. 131.

Ethan Allen's letter to him, treating lightly the intimated danger to himself, and expressing a doubt whether Allen was sincere, or intended to divert him from making inquiries which Allen might suspect he was making. The next day he again wrote Washington, 'of the [New York] State troops only forty five have yet appeared. We are to expect [no] more from the east side of the Hudson river.' He then told of the Union with Vermont and quoted McCracken's conversation with Ethan Allen, and concluded, 'and I really believe he will do as he says.'¹ On May 24, Schuyler enclosed to General Washington, a letter written by Dr. Smyth of Albany, presumably to Haldimand, which had been captured by his scouts. It contained the information of Ira Allen's presence in Albany to see Governor Clinton, as quoted in his letter to Haldimand of January 31, and concluded with 'I heard Allen declare to one Harper that there was a north pole and a south pole, and, should a thunder-gust come from the south, they would shut the door opposite that point and open the door facing the north.'² On June 5, John Williams from White Creek wrote Governor Clinton:

Nothing but Yorkers and Vermonsters is talked of, even by boys and youngsters. . . . If nothing is done by this state [New York] soon, we shall be compelled to submit ourselves to the jurisdiction of Vermont, and what the consequences of it will be God only knows. . . . Nothing is scarcely talked of but the bad conduct of the legislature and administration of government in this state [New York]. No troops on the frontiers, no provisions nor no money, nor have the men got ammunition. . . . Cambridge regiment is sufficiently supplied with that article *from Vermont*.³

An earnest appeal setting forth the exposed condition of the eastern frontier of Vermont was sent to General Washington on May 24, signed by Jacob Bayley, Peter Olcott, Robert Johnson, Noah White, Timothy Bedel, Charles Johnston, Israel Morey, Israel Smith, Beza Woodward, Jonathan Chase, Thomas Murdock, Ebenezer Brewster, and Benjamin Bellows. They desired Washington to send a force to invade Canada from the Connecticut River.⁴

¹ *Ethan Allen Papers*, 353, in Office of Secretary of State of Vermont; also Vermont Historical Society, *Collections*, vol. 2, p. 132.

² *Ibid.*, 349.

³ *Clinton Papers*, 3758, New York State Library; also Vermont Historical Society, *Collections*, vol. 2, p. 133.

⁴ *Washington Papers*, 1781, May 24, Library of Congress; also Wilbur Photo-stats, 163, University of Vermont.

Returning to the British, we may note the kind of information *they* were obtaining as well as their doubts and fears:

On May 29, Mr. Thos. Sherwood reports that he was as far in the country as Saratoga, that about the 20th, inst. the convention representing the people West to Hudson's River signed articles of union with Vermont and articles of agreement to defend themselves against the enemies of Vermont, five members to represent the Western inhabitants in Vermont, in June Assembly. People move in from York State very fast, mostly friends of Government and men of property. New York State having ordered the inhabitants to move as far down as to make Saratoga the Northern Frontiers. The people on the east side of Hudson's River sent an express to Governor Chittenden to know whether he would protect them against New York, if they remained on their farms. He wrote them a letter that he would protect them and make prisoners any party that should presume to remove them without his orders. Gov'r Chittenden informed them further that he did not suppose they would be in any danger from Canada, till the latter part of the summer. There is 250 of Van Schaick's Reg't at Saratoga building a block house, they have no provision but what they take from the inhabitants. A Lieut and 30 men was sent out last week as far as Still Water to take cattle from the inhabitants. He demanded a pair of oxen from a man, who was ploughing with them; the poor farmer pleaded that he had no other oxen and, if he must part with them, it would ruin him. The Lieut said he would have them, the man asked him whether young cattle would not do as well, he said 'Yes, if he could have them within two hours' the ploughman promised he should and run'd off to look for them, but within the two hours he returned with 50 of the inhabitants armed, the Lieut asked where the young cattle were, the man pointed to the armed posse and told there they were. They then took the Lieut, rung his nose, kicked and beat him severely and forced him to return without any cattle.¹

From the Isle aux Noix, Sherwood wrote to Mathews, June 2:

Soon after Major Lernoult left this, Mr. Platt arrived and brings much the same accounts as Mr. Bottum brou't, but adds that Gen'l Schuyler has petitioned Govr. Chittenden to extend the line of Vermont, west to Mohawk River and that all the boats on Hudson's River as far as Still Water are destroy'd to prevent the people moving out of York State into Vermont. After I gave Major Lernoult Mr. Bottum's report he inform'd me that one Sam'l Rose who was made prisoner from this Province by the rebels last summer has been (by Gen'l Allen) set at liberty and sent to New York from whence he return'd this Spring with letters to Gen'l Allen, he is sent

¹ *Canadian Archives*, B-176, p. 123.

back again to New York by Allen and is expected to return in about a fortnight. As this (if true) appears to me very dark and intriguing on Allen's part, I thought it my duty to mention it to you. Mr. Platt has brou't in a copy of Union Articles between Vermont and Cambridge, which I hope Col. St. Leger will send to you by this post, I can't help hinting to you my suspicions from Allen's extraordinary preparations that he has a design to entrap Gen'l Haldimand's forces under pretense of joining them and by this kind of perfidious bravery to ensure Vermont a seat in Congress. This or an honest intention of joining us soon, with all the forces he can bring together must (I think) be his present pursuit. Mr. Carscallion desires me to inform you that Capt. Chipman has ruin'd a number of loyal persons and familys in the country by some information he got of them, while he was with our shiping last fall.¹

P.S. Mr. Casscallion thinks no man is so likely to unfold Allen's design as Col. Williams, of White Creek, as he is a very subtle, popular man, much in Allen's favour and has been long desirous to purchase peace and pardon from Govt.

J. S.

Haldimand on June 6, wrote Sir Henry Clinton, in cipher, in answer to Clinton's letter of May 8:

I have yours of the 8th May by Davis. He sets out in a few days upon an attempt to intercept the mail from Fish Kiln to Albany; if he succeeds, it may enable me to inform you of the real designs of Vermont. I have from the beginning entertained suspicions and been upon my guard with that people; in hopes of effecting something with them by negotiation. I rec'd a flag (proposed by Chittenden) to settle a cartel having first prepared the Allens. Ira was the person chosen and he is just returned seemingly convinced of the benefit that would accrue to that State by a reunion with the Mother Country and promising to exert himself to the utmost in bringing it about. The result of his endeavours I expect to hear about the end of July. Pressing them with a certain degree of firmness to a speedy determination at the same time cordially representing the fatal effects of delay to their views should America at large be reduced to submission, operated powerfully on Allen's reasoning and conduct until then obscure and haughty. He produced copies of their letters to Congress and the contending Provinces and accounted for the necessity of exposing Col. Robinson's letters to his brother.

He adduced the extension of their jurisdiction as a necessary preparation to a re-union, as well to strengthen them against the power of Congress as to aid in reconciling the people to our views. Many of the new subjects being well disposed to Government, this is plausible if not sincere. The business is transacted with the utmost precaution and secrecy by a man well acquainted with their arts and

¹ *Canadian Archives*, B-176, p. 125.

in whom I have a perfect confidence. Wells is said to be a good subject; I should be happy by his, or any means, to establish a frequent intercourse with you. I try him with this as no harm can come of it.¹

William Smith recorded in his diary, July 25:

I saw General Haldimand's letter², received within three days, decyphered. It acknowledges what I drew [up] last May. Mr. Haldimand had treated with Ira Allen upon the subject of joining the Crown. Allen apologized for sending Col. Robinson's letters to Congress, expanded Vermont to please Loyalists & strengthen Vermont with Loyalists & better fit it for a Government. Haldimand not quite sure of him & Vermont. Will be if he can intercept a mail between Fish Kill & Vermont the latter end of this month. Allen impressed by danger of losing all the Crown promises if they don't declare before a general submission takes place. Haldimand thinks well of Col. Wells. He sends this letter to be forwarded by him. If it comes safe it will inspire more confidence in him in future.³

Haldimand wrote to Lord Germain June 14:

It is not yet in my power to give your Lordship any satisfactory account of the affair [with Vermont] mentioned in my letter of the 25th Oct. (NO. 75); much has been agitated which shall be communicated to your Lordship by the British Lion and I look for the result in the course of six weeks. I cannot divest myself of the suspicions and uncertainty expressed to your Lordship in the above and former letters but I still persevere in my efforts and hopes for success. Many circumstances of that transaction having most unfortunately appeared in the English newspapers and hopes founded upon them confidently expressed have been of infinite disservice to it and very much impaired the influence of the principal actors, it were happy this could be in future prevented.³

On June 14, from Montreal, Sir John Johnson wrote Haldimand:

I have the honor to transmit herewith nine news papers and one manuscript from Colonel Wells, and a Judge Knowlton, which were brought in by Mr. Church, who left New Fane on the 4th June, a little before which time, Colonel Well's son [in-law Townsend] had arrived from New York: The correspondence to be carried on was proposed by General Robertson.⁴

This is the first mention of Knowlton. It is doubtful whether Ira Allen knew of Knowlton's intercourse with the British, as their relations made it dangerous for him.

¹ *Canadian Archives*, B-147, p. 317.

² *Smith Diary*, vol. 7, New York Public Library.

³ *Canadian Archives*, Q-18, p. 87.

⁴ *Ibid.*, B-158, p. 225.

On June 14, Dr. George Smyth arrived at Fort St. John, exhausted and ill, having walked all the way from Albany, and notified Haldimand of his arrival. He was in Vermont when Ira Allen returned and he wrote that he had 'had the pleasure to peruse a letter which the Governor sent to his Secretary, [Joseph Fay] acquainting him that Col. Allen had returned and the business accomplished agreeable to their wishes.'¹ Smyth stayed overnight with Joseph Fay at Bennington. Chittenden lived in Arlington.

On June 17, Haldimand received word from one of his captains at Crown Point 'that General and Colonel Allen were both dismissed from having command of the Governor and Council of Vermont State.'² Haldimand on the 18th, wrote to St. Leger that he had decided to 'establish an advanced post for the summer season, upon Dutchman's Point.'³ He placed Sherwood in charge and gave orders for St. Leger to assist him with men and carpenters to build a house and whatever was necessary. He proposed to have Sherwood send out and receive all scouts or spies at this point. This would prevent their talking at the forts and settlements. On June 18, Haldimand wrote to one of the old associates of the Green Mountain Boys who lived in Bennington, James Breckenridge, Senior:

From the reports which have been made to me of your conduct thro' out the Rebellion, I have entertained the most favorable opinion of your Loyalty to your King and Attachment to his Government, and have marked my approval thereof by an attention to your Sons which I purpose to continue. The Youngest of them will deliver this note, which is to request you will collect for his return all information you shall think useful for me to know, particularly your own opinion and sentiments of affairs in Vermont. Many reports of very different tendencys having reached this place relative to the Intentions and preparations making there, no one of which having Authority sufficient to admit of my forming any certain conclusion.

Some say they are arrising to oppose Congress & Return to their Allegiance, others, that this is a mask to cover an intended union with Congress and a third Report says their intention is to support Independence from both, and all powers whatever.

I wish to know from you the opinion of the leading men and the Populace in your neighbourhood, and likewise of the Allen's to

¹ *Canadian Archives*, B-176, p. 131.

² *Ibid.*, B-142, p. 49.

³ *Ibid.*, B-135, p. 223.

which of their objects their wishes point, and if to the first, by what means they can with most facility be accomplished, and who the persons are who can be depended on. From the general appearance of Public Affairs and the necessities and dissensions of the unhappy deluded People on this Continent, it is to be presumed the Contest cannot long subsist, and that a favourable Crisis is pointed out to the People of Vermont to establish themselves under their natural sanction, which alone can support and protect them. I sincerely wish they may ere too late improve the opportunity, having always considered them agrieved by the other Provinces, and should have been well pleased they had given the occasion to redress them. Settle with your son a safe and convenient mode by which I may communicate with you.²

F. H.

Haldimand's confidence in Sherwood is shown by the following.

(June 18, 1781)

SIR: —

Having thought fit to entrust to your management and direction the fitting out and dispatching of Scouts upon Secret Service, all Loyalists and others employed in that duty are hereby directed, punctually to obey and follow such instructions, whether in writing or verbal, as you shall find necessary to give them, in consequence of the orders you shall from time to time receive, and the trust reposed in you.

Given under my hand at
Quebec the 18th June 1781.
(Signed) FRED HALDIMAND²

On June 21, Haldimand wrote Dr. Smyth, who was still at St. John's, inviting him, when he was rested, to come to Quebec. He requested him to avoid Montreal, as he, Smyth, was surrounded by spies and disaffected people.³ Smyth started for Quebec June 25, carrying a letter from Captain Sherwood, which recommended him highly, and declared that Smyth 'entertains very sanguine hopes (from Colonel Allen's reports and some other incidents) that Vermont may be reclaimed.'⁴

Ethan Allen had warned Schuyler that the British desired to capture him. The following from Mathews to Sherwood of July 4, which referred to Schuyler in particular, confirms Allen's information:

Mr. Smyth who will deliver this letter to you having laid before

² *Canadian Archives*, B-179, p. 50. ³ *Ibid.*, B-179, p. 52.

³ *Ibid.*, B-179, p. 53. ⁴ *Ibid.*, B-176, p. 138.

His Excellency the Commander in Chief, the names of several persons, the most obnoxious to the friends of Government in the neighbourhood of Albany, and the most zealous supporters of Rebellion whom he thinks it is probable, by small parties to carry off. His Excellency, persuaded of the good effect this stroke would have, is desirous it should be immediately undertaken, and has sent Mr. Smyth to consult with you upon the means most eligible to fulfil it. Its success will entirely depend upon a prudent choice of the men to be employed and profound secrecy. The former is left entirely to you and Mr. Smyth, His Excellency being satisfied of your zeal for the King's service and your abilities in executing it . . . The General wishes this to be carried into execution with all possible dispatch as the capture of one man, now that their Council and Committees are in Agitation, may be of infinite consequence.¹

The following report was sent to Canada by a British spy soon after Ira Allen's arrival home:

Was in Bennington when Col. Allen returned from Canada, and employed Mr. . . . to find out what report Allen made, and the resolution of the Council in consequence of his report; but from many hints that he gathers from the leading men, he suspects that General Allen is gone to solicit forces from Connecticut and Massachusetts to ensnare General Haldimand's troops if possible. Colonel Robinson and Colonel Stafford both declared to Dr. Fay that they did not approve of the correspondence between Vermont and Canada, and they would sacrifice themselves and all the forces they could raise rather than come to any settlement separate from the other states. Captain Lyon (one of the Council) told . . . that Governor Chittenden would settle with Britain if the present leading men in Vermont were allowed to continue such under Britain, their old and new grants confirmed — the east and west new territories confirmed — all their laws and acts confirmed and nothing revoked; that the tories' farms must (he supposed) be given up to them. The Governor said those were the only terms Vermont would agree to, and, if General Haldimand would not agree to them, it was the business of Vermont to spin out this summer in truces, and in the mean time fill their magazines as fast as possible with arms, ammunition and provision, by which, with the continual increase of the inhabitants, he hoped to be able next summer to defend Vermont against invasion from Canada. Mr. . . . says a flag from Vermont will be set off about the 17th of July for Canada.²

Another report was sent by Samuel Rose, E. Hawley, and B. Benedict:³

A. and B. say that, as soon as Colonel Allen returned, a select body of the Council was convened at Arlington, consisting of twelve

¹ *Canadian Archives*, B-179, p. 57.

² *Ibid.*, Q-18, p. 204.

³ *Ibid.*, B-132, p. 117.

men; they sat three days, at the expiration of which General [Ethan Allen was dispatched to Connecticut and Massachusetts. Colonel Allen's report to the Council was kept so profound a secret that no man of the King's friends nor of the rebels of high or low degree could come to the knowledge of a syllable of it from the Council, except a few words dropped from Captain Lyon to the following purport, viz:

Vermont would never make up the tories' losses, and if they could not settle with General Haldimand pretty much on their own terms, they would baffle him with flags and prolong the time till they were better able to oppose him. The people in general on the west side of the mountain are very jealous of the Allens, Fays and Chittendens; the rebels (who are the bulk of the people) suspect they are about to sell them, and these seem determined to sacrifice everything, rather than submit to any terms with Great Britain, short of independence, and the tory party suspect that the above leading gentlemen are endeavoring to lead the British troops into a snare, and then betray them to the rebel troops. It is reported in that country that another flag will be sent from Vermont about the middle of July.¹

The British were well posted, as their spy system was far superior to that of the States.

As soon as Ira Allen reached home he called a meeting of part of the Council at the house of Colonel Brownson² and reported all that had occurred. The British spies' reports indicate how carefully the proceedings were guarded. As Allen could not judge what turn his affairs might take when the Assembly met, he obtained the following paper from his friends of the Council, who were in the secret of his mission to Canada:

State of Vermont, June, 1781.

Whereas Colonel Ira Allen has been with a flag to [the province of] Quebec for the purpose of settling a cartel for exchange of prisoners, and has used his best policy by feigning or endeavoring to make them believe that the State of Vermont had a desire to negotiate a treaty of peace with Great Britain — thereby to prevent the immediate invasion or incursion upon the frontiers of this state, as appears by the letter he sent to General Haldimand dated May 8, [11] 1781, enclosing a copy of Colonel Beverly Robinson's letters to General Ethan Allen and General Allen's letter to Congress, and the resolutions of the Assembly of Vermont approbating the same, as also the circular letter to the several states delivered to Dundas, according to his verbal report made to us this day: — We are of the

¹ *Canadian Archives*, Q-18, p. 207.

² Vermont (*Force Transcripts*), Allen's account, Library of Congress.

opinion that the critical circumstance this state is in, being out of the union with the United States and thereby unable to make that vigorous defence we could wish for — think it to be a necessary political manouver to save the frontiers of this state.

Jonas Fay, Thomas Chittenden, Samuel Robinson, Samuel Safford, Joseph Fay, Moses Robinson, Timothy Brownson and John Fassett. [Jr.]¹

From June 8, to June 12, Ira Allen spent the time in his office at Sunderland, going over his accounts as Treasurer and preparing papers for the next Assembly, which was to meet in Bennington on June 13.² The Assembly met, but a quorum was not present until June 15. Representatives from east of the Connecticut River took their seats. The Articles of Union with the New York towns were read and debated: action was deferred until the next day. On June 16, the House voted to confirm the union and let the delegates take their seats. Fifty-three members, all from Vermont, voted yea, and out of the twenty-four negative votes there were only six from Vermont, the other eighteen being from New Hampshire. Fifteen men elected from New York took the oath and were declared members. On June 18, a committee of three was appointed to arrange the civil and military departments in the western territory lately annexed. An inquiry was made by a member as to reports about a treaty with Canada, and also the present state of the public accounts. Ira Allen presented a petition praying for a settlement of his accounts with the State. The old auditing committee was dismissed and a committee of seven was named to select three to settle the accounts of the Treasurer. The committee chosen were Nathaniel Brush, Bezaleel Woodward, and Amos Robinson. Ira Allen was again appointed Trustee of the Loan Office. The Legislature proceeded to elect a brigadier general. Samuel Safford, receiving twenty-three votes, was elected. Ira Allen received twelve, although he was not a candidate. The next day was set apart for an inquiry concerning reports of a treaty with Canada, and the Governor and Council were requested to be present. The committee of both houses met on the 19th and, after consultation, adjourned to June 22.

Notwithstanding Washington's refusal of Vermont's re-

¹ Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 2, p. 427.

² Vermont (*Force Transcripts*), Allen's account, Library of Congress.

quest for British prisoners, to use in exchange for Vermont prisoners in Canada, made the preceding January, a letter was written to him on June 18, signed by Governor Chittenden, making a similar request. He wrote that he should expect to have this request granted 'when I consider that I have delivered over to the United States more than four times the number which I have occasion for by this request.'¹ This letter was carried to Washington by Captain Eli Brownson. Washington informed him that he could not countenance a cartel settled by Vermont with the Governor of Canada. In a letter, July 9, to General James Clinton, Washington wrote of his refusal; concluding, 'I wish there may not be other business transacted under cover of the flag from Vermont to Canada besides the exchange of prisoners.'²

One of the problems confronting the Legislature of Vermont was the difference in form of governments between New York and Vermont. In New York the smallest unit was the county, in Vermont the town: thus the new territory annexed had to be formed into towns. This was accomplished and, on June 20, this territory that had been annexed out of New York was divided by putting part into Bennington County and the balance into Rutland County. A committee, of which Jonas Fay was chairman, recommended the appointment of three agents to attend the Continental Congress with full powers to arrange a union with the United States. For the purpose of selecting the delegates, Vermont as then constituted was to be divided into three sections; each section was to name two and, out of these, three would be selected. The eastern section, that part of New Hampshire which had been annexed to Vermont, named Bezaleel Woodward and Elisha Payne. The middle section, Vermont proper, named Ira Allen and Jonas Fay, as did the western section composed of that part of New York which had been annexed to Vermont. From these four, Ira Allen, Jonas Fay, and Bezaleel Woodward were elected. The Assembly then voted not to grant any more lands. Woodward, who had just been appointed an agent to go to Philadelphia, resigned from the committee appointed to audit and adjust public accounts and Isaac Tichenor was appointed in his place.

¹ Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 2, p. 426.

² *Washington Papers*, Library of Congress; also Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 2, p. 429.

This is the first mention of Isaac Tichenor in the records of Vermont. It was an unfortunate appointment. Tichenor used this opportunity for political purposes to discredit Ira Allen and twenty years later had much to do with causing his ruin. Ira Allen could undoubtedly have prevented his appointment, if he had thought it of importance. He was anxious for a settlement of his accounts as Treasurer. Tichenor had been assistant commissary-general in the Continental army and might be supposed by the Legislature to have knowledge of auditing. During the session Tichenor petitioned the Assembly, praying for security of private property for him and his agents from debts contracted for the public in purchasing supplies for the Continental army. An act was passed suspending prosecutions against him 'till the rising of the Assembly in October.' Ira Allen could easily have prevented the passing of this act. Twenty years after, when Allen requested a similar favor of the Assembly, Tichenor, then in power, was not so generous.

Ira Allen petitioned the Assembly to direct him to settle with the auditors, 'as the law of this state directed.' The difficulty encountered in settling the accounts was caused by the commissioners of sequestration, who received the money for Tory estates confiscated, failing to settle their accounts with the Treasurer. By vote of the Assembly, Ira Allen as Surveyor-General was directed to establish the south boundary line of the State. Land was voted to Continental officers and to Massachusetts line officers. The handling of this Assembly was a difficult task, composed as it was of Tories, Vermonters, the Dartmouth, New Hampshire, members, and those from the New York annexed territory, and it is only reasonable to attribute success in the task to Allen's ability to influence men to favor his projects. Chittenden was ill part of the time of the session. The most important occurrence was the report made by Ira Allen of his negotiations with the British in Canada.

Years after he wrote in his history:

Many jealousies having arose amongst the zealous whigs in the United States and Vermont, that some negotiations were carrying on between the British in Canada and Vermont, which occasioned several men of discernment to be sent from the neighboring states, as well as many in Vermont, to collect and see, if, at the sessions of

the Legislature, they could find any measures were pursuing that might eventually be injurious to the United States, or the common cause of America.

On the other hand, the British in Canada were anxious to know whether Col. Allen and his friends would be faithful, and conduct matters so as to give a reasonable prospect of success, that might be adequate to a further suspension of hostilities; with these views, two opposite parties attended the Legislature; as the Assembly convened in the Meeting-House, the spectators sat in the galleries. In a few days after the meeting, the Assembly sent a message to the Governor and Council, requesting them to join in committee of both houses on the subject of Colonel Allen's mission to the British in Canada, &c. The Governor and Council attended in the Assembly, and resolved both Houses into a committee of the whole, when the Governor proceeded to state the facts; that in consequence of application from several persons, praying that some measures might be taken to procure the exchange of their friends, who were prisoners in Canada, in the recess of the Legislature, he had, with the advice of council, appointed and authorized Colonel Ira Allen to go to the Isle-aux-Noix to settle a cartel for the exchange of prisoners, in behalf of the state. That Colonel Allen went to the Isle-aux-Noix, where he met the British Commissioners, and with difficulty had completed the business, in behalf of Vermont, though no exchange had taken place with the United States, or any other state in the northern department; that, if the grand committee wished for further particulars, respecting the mission and conduct of Colonel Allen, he was then present and could best inform, to whom he referred them.

Imagine this scene. Not only the fate of Vermont, but his own freedom and possibly his life, after Arnold's recent act of treason, might depend on his words. His safety lay in his adherence to truthful statements, and, when he arose, his greatest difficulty was not to say too much nor to answer questions too frankly:

The Committee then requested Colonel Allen to inform them respecting his commission, and what effects it had produced. Colonel Allen rose, and observed to the Committee that he had received an appointment and commission from the Governor and Council, for an exchange of prisoners; that he had very happily succeeded in his mission, and made his report to the Governor and Council; had left the commission and all the papers at home; nevertheless, was ready to give a verbal statement of the whole transactions, or, if more agreeable to the Committee, he would, by leave of the Governor and Council, go home, and produce the writings for the inspection of the Committee next day. The Committee desired Colonel Allen would lay the papers before them the next day.

This was done very likely to relax the situation which must have been very tense. He had no papers to show from the British except the agreement for a cartel not signed, but he was cool and masterful and deemed it wise to hold the matter over a day:

Accordingly he attended the Committee with the papers, and made a short verbal statement, that the papers might be better understood; they were read, and on the whole it appeared that the British had shewn great generosity in the business. Colonel Allen then rose and stated sundry things, which occurred while he was in Canada, and mentioned that he had discovered among the British officers a fervent wish for peace; and that the English Government was as tired of the war, as the United States; then concluded with a desire, that if any member of the Committee or auditor in the gallery wished to ask any further questions respecting the business, he was ready to answer them.

All seemed satisfied that nothing had been done inconsistent to the interest to the states and those who were in the interest of the United States paid their compliments to Colonel Allen for his open and candid conduct. In the evening he had a conference with the Canadian spectators on the business of the day, and they appeared to be as well satisfied as those from the neighboring states and Vermont. Is it not curious to see opposite parties perfectly satisfied with one statement, and each believing what they wished to believe, and thereby deceiving themselves! Major Joseph Fay was then appointed Commissary of prisoners, and after the session of the Assembly, went in July on board the *Royal George* in Lake Champlain, obtained the exchange of prisoners, and a further extension of the armistice.¹

The Assembly voted that their next meeting should be held at Charlestown, then in the annexed territory of New Hampshire. It was the only session of the Vermont Assembly ever held outside of the present limits of the State. The Assembly adjourned June 28. The Council had held daily meetings during the session and had many important matters under consideration. The Board of War required Allen's attention June 28 and 29. As Treasurer also he was consulted regarding expenditures of all sums. He found the money to pay the members of the Assembly, Councilors and members of the Board of War. From his accounts it would appear that at this time almost every one interested in politics in the State was on the State pay-roll.

¹ Allen's *History of Vermont* (London, 1798), p. 172.

After it became public news that negotiations were carrying on with Canada, the most extravagant surmises were promulgated by those who, in other matters, were esteemed for their prudence. Stories which, at any other time, would have been discredited without hesitation, were repeated with additions and exaggeration, and received as the truth. . . . Vermont — claimed by New York, regarded with hatred and fear by New Hampshire, suspected of treason by Congress, and eagerly watched by Canada — held a situation so peculiarly delicate, that one false step might have destroyed all the plans of her protectors, and rendered vain her hopes of existence as a separate and independent state. In the minds of many, the distrust evinced towards Congress was far greater than the fear of subjection to British dominion.¹

On June 25, Washington appointed Stark to command on the northern frontier of New York and began to withdraw the Continental troops. The expedition against Cornwallis was then in secret contemplation.² On the same date, President Weare of New Hampshire wrote Samuel Livermore, agent of that State in Congress, urging immediate action in their dispute with Vermont:

This is become a very serious matter. Vermont . . . levying taxes on the towns on the east . . . side of the river and making immediate distress on those who refuse to pay, which has made such disturbance that there is great danger of bloodshed. . . . We have great reason to fear that Vermont is carrying on a negotiation with Canada. . . . it appears to me Congress have not a full apprehension of the difficulties we labour under; . . . It is impossible for us . . . to comply with their requisitions respecting men, supplies &c for the army and I wish that Congress knew it.³

Livermore on June 26, in answer to a similar letter, wrote Weare:

Received yours of 28th May yesterday — only letter received from you — this one was doubtless detained at Fishkill. One of our post riders with mail was captured early in June. [Undoubtedly Haldimand's scout to ascertain news of Vermont]. As to Vermont I am sorry to see the distressed situation we are in by the policy of a few. The affair might have been settled a year ago upon the plan I proposed. . . . We have no delegate from New York as yet and Congress has been very thin till very lately. . . . I am strongly impressed with an idea that this dispute will never be settled but by dividing the

¹ Benj. H. Hall's *History of Eastern Vermont* (New York, 1858), p. 412.

² Stark, *Memoirs and Official Correspondence of John Stark* (Concord, 1860), p. 212.

³ *Weare Letters, 1780-1824*, pp. 13-24, Massachusetts Historical Society.

territory between New York and us. . . . Should the whole be decreed to us they might be too powerful under the influence of Mr. Allen to obey the decree. Should they be divided that part that would fall to us would perhaps be easily reconciled.¹

Ira Allen was generally mentioned by Washington and others as Mr. Allen and Ethan Allen was then termed General Allen.

On June 29, the Council had appointed Joseph Fay commissary-general of prisoners. Later he went to meet the agents of Canada for their exchange, as Ira Allen had promised. Allen spent the month of July at Bennington with some members of the Council, at the Governor's house in Arlington and at home,

preparing writings for Major Fay to carry to the Province of Quebec for the exchange of prisoners, etc. in preparing writings for the agents to carry to Congress, settling with Governor Chittenden for money paid out in my absence and Receipts taken in my name as Treasurer.²

While he was thus engaged, the other parties in this great drama were not idle. Sherwood was at Dutchman's Point July 1, with a number of men building a block house in which to receive the Vermont Commissioner on his arrival. As fast as he received news by his spies, he transmitted it to General Haldimand. He reported July 1, that

Judge Jones is made Chief Justice and Colonel Wells and Olcott, royalists, Asst. Judges for Vermont. The people on the east side all in favour of Government and intend to join with Canada if they can, but they are very much afraid of the people on the west side the mountain, who are almost all rebels and begin to threaten Governor Chittenden and the Allens very much.³

On July 7, Germain wrote to Clinton:

If we succeed to the southward, I shall not be afraid of a failure in our negotiations with the people of Vermont, for Washington must in that case make still further detachments from his army on Hudson river, if not carry away the greatest part; and as General Haldimand will have a body of troops ready to throw in among them, their apprehensions of the resentment of the Congress must be removed and they will see it to be their wisest and safest course to declare for his Majesty, for I confess I rely more upon their finding

¹ *Weare Letter*, p. 36.

² Vermont (*Force Transcripts*); also Wilbur Photostats, University of Vermont.

³ *Canadian Archives*, B-176, p. 142.

it to be to their interest, than upon their loyalty for their taking part with us.¹

On July 8, General Haldimand wrote a letter marked 'Most private' to Lord Germain relating the details of the negotiation with Vermont:

Colonel Ira Allen (brother to Ethan) was the person sent with the flag. . . . I am apprehensive the flag was sent merely to cause a jealousy on the part of Congress. . . . they are in their hearts inveterate rebels, and if once united with Congress, would be very formidable enemies, having been from their early contests with their neighboring Provinces, continually in arms. They are in every respect better provided than the Continental Troops and in their principals more determined. . . . from the sensibility with which Mr. Allen seemed impressed and the candor of his professions upon taking leave, I still hope for success . . . neither money or pains on my part shall be wanting to accomplish it.²

A copy of Sherwood's journal was enclosed. The superior condition of the Vermont troops noted by Haldimand was due to Ira Allen, who was responsible for them.

The British information was not always correct, as the following letter from Mathews to Sherwood on July 9, discloses:

The late intelligence from Vermont of the steps taken by that people and the suspicions entertained from the result of Col. Allen's report of the Proceedings with him here, together with the account of the two Provincial Regiments stationed in the Environs of Albany, being relieved by French Troops, makes the General more than usually anxious to have frequent intelligence from those Quarters, and he is pleased to desire you will do all in your power to accomplish this so essential a Service, the Enemy having Established so strong a Scout to intercept intelligence, looks as if something extraordinary were in Agitation, wherein they wish to conceal from us. General [Ethan] Allen is certainly gone to Congress to make a last offer, [Ethan Allen did not go to Congress] by way of justifying a Union with Britain, or to Consult upon and determine hostile measures in conjunction with Congress against her. Their conduct in the approaching interview will at once decide which of these plans they have adopted, for one of them must have been ultimately fixed before Allen's departure, and if the flag should not come fully empowered, immediately to close with the General, there cannot be a doubt of the Suspected Scheme of procrastination. The General desires you will seem perfectly ignorant of what has passed with them, since the return of the Flag in order to make use of it by conviction

¹ Vermont Historical Society, *Collections*, vol. 2, p. 140.

² *Canadian Archives*, B-55, p. 58.

if found necessary at the conclusion of business, in your next meeting.¹

The British as yet believed that Ethan Allen was the leading man in the negotiations. If Ira Allen had intended at any time to join the British, it does not seem likely that he would have allowed them to have that impression.

On July 10, Ira Allen wrote General Haldimand:

This state has become the topic of discourse through the United States. Various are the conjectures and prognostications of the populace abroad. I have authentic accounts from Congress, that they spent several days last spring on the question of Vermont; that it was the sense of Congress (after lengthy debates) to make no determination respecting it this campaign, or to the end of the war. The Legislature of this state convened at Bennington in June last. By emmissaries from the other states, or otherwise, the very great whigs in this state were much alarmed on account of neutrality, &c. When it was found on a political scrutiny, that there were a majority of that denomination, the Legislature, who, together with the influence of some others that attended, crowded for an enquiry to know from whence the reports of neutrality, &c, originated, requesting that all papers that had passed to and from the province of Quebec, might be laid before the House, . . . [then proceeds as previously told in his account] then it was agreed that three agents should be appointed to attend on Congress with full power to make and receive proposals for articles of Union between the United States and Vermont, and to take seats in Congress; when Jonas Fay, Ira Allen and Beza. Woodward, Esqs, were elected, (it is to be observed that they are not all on one footing).

It is expected that said agents will make offers to Congress that will not be accepted, by which means those in favor of government will be able to evince to the people of this state that Congress means nothing more than to keep this state in suspense to the end of the war, and then divide the territory amongst the claiming states, (which is doubtless the intention of many). This, together with such other matters as may be safely intrusted, will be in agitation before the next election.

These matters are ripening as fast as the nature of the case will permit. It is exceedingly difficult and somewhat dangerous attempting to change the opinion of large and popular Bodies, nor can any possible advantage arise by any of those in power to publish their sentiments in that respect until the proper crisis shall arrive, for this is a popular government and her officers annually elected by the suffrages of the people; therefore carrying these matters in some measure under the Rose until the next election, when in all human probability a large majority of the then officers of the government will

¹ *Canadian Archives*, B-179, p. 60.

be well disposed, and then by the advantage of another denial from Congress and having the reigns of government in their hands for one year, they will make a revolution so long wished for by many. A considerable part of the citizens of this state are emigrants from Connecticut, and would choose charter privileges similar to that government and would expect to remain a reasonable time in a state of neutrality. However, I hope there will be no difficulty on those accounts. General Allen has resigned and taken to his old studies, philosophy. General Bellows declined serving. Colonels Safford and Fletcher are elected in their steads. General Enos commands this state's troops in service. These three generals are acquainted with my proceedings at the Isle aux Noix, &c. The result of whatever may take place at Congress shall transmit to you. The agents are to set out on the first of August and will probably return the fore part of September. Request that the signal agreed on by Captain——and myself be continued, as that may be the best way of conveyance.¹

This letter was taken to Canada by Major Joseph Fay and reached Haldimand August 2.

After this letter was written, it was shown to those who had signed the paper previously given Allen for his protection and a new paper as follows was signed and given to him by all the previous signers, excepting Samuel Safford and Moses Robinson, who refused and were against further negotiations:

Certificate for the protection of Colonel Ira Allen.

Whereas this state is not in union with the United States, although often requested, etc. This the British power are acquainted with and are endeavoring to take advantage of these disputes thereby to court a connection with this state on the principle of establishing it a British province. From various accounts we are well assured that the British have a force in Canada larger than this state can at present raise and support in the field, and this state have no assurance of any assistance from any or either of the United States however hard the British forces may crowd on this state from the province of Quebec by the advantage of the waters of lake Champlain, etc. Although several expresses have been sent by the Governor of this state to several of the respective governors of the United States with the most urgent requests to know whether any assistance would be afforded in such case, yet no official answer has been made to either of them.

Wherefore we the subscribers do fully approbate Col. Ira Allen sending a letter dated Sunderland, July 10, 1781, and directed to Genl. Haldimand, and another letter to Capt. Justice Sherwood, purporting an intention of this state's becoming a British province, etc. This we consider a political proceeding to prevent the British

¹ *Canadian Archives*, Q-19-58; also B-176, p. 145.

forces from invading this state, and being a necessary step to preserve this state from ruin, when we have too much reason to apprehend that this has been the wishes of some of our assuming neighbors, in the mean time to strengthen the state against any insult until this state receives better treatment from the United States or obtain a seat in Congress.¹

Haldimand attached much importance to the coming interview with the Vermonters. He appointed Dr. George Smyth to be Sherwood's associate, and Sherwood requested that he continue Major Lernoult in the commission, 'as his rank will give importance to the commission. . . . Believe the Block House will be ready for the reception of the flag by the 20th [July] but is glad the Royal George is ordered up the Lake.'² Colonel St. Leger was in command at St. John's, and, as before, knew nothing of the real mission of Sherwood and Smyth. He believed that they were there to forward spies. In Sherwood's letter above, he requested more authority be given him over spies and dispatches received. Smyth arrived at St. John's on July 10, and was taken by St. Leger to his house 'for privacy sake,' which complicated the matter still more.³ On July 19, Mathews wrote Sherwood:

I am further to acquaint you by His Excellency's command that notwithstanding you and Mr. Smyth act together, he will always look upon you as the Principal and original agent in whatever may be transacted, and will not forget his voluntary promise in case of success.⁴

France was interested in Vermont's affairs as evidenced by the following letter from M. de Marbois, French *chargé d'affaires* at Philadelphia, to M. Vergennes, French Minister of Foreign Affairs:

Philadelphia July 14. Vermont seems to me to detach itself more from day to day from the common cause, and Congress by delays, whose object the inhabitants have penetrated, has alienated them to the point where they have made approaches to England and several counties of New Hampshire unfortunately have joined themselves to them. The disorder which reigns in the latter state will probably oblige General Sullivan to go there, but he promises to return here and his presence in Congress is extremely necessary.⁵

¹ Vermont Historical Society, *Collections*, vol. 2, p. 144; also *Canadian Archives*, Q-176, p. 145.

² *Canadian Archives*, B-176, p. 155.

³ *Ibid.*, B-134, p. 72.

⁴ *Ibid.*, B-179, p. 63.

⁵ *Affaires Etrangères*, Correspondance Politique, Etats Unis, vol. 17, p. 136, Paris.

Washington may have placed Stark in command of the northern forces on account of his supposed influence with the Vermonters. Stark received the appointment at his home in Derryfield, New Hampshire, and wrote Washington dated July 15:

I shall set out for Saratoga the beginning of next week, and on my passage shall hold a treaty with the Green Mountain Boys. But not having seen, or been acquainted with those *turbulent sons of freedom*, for several years, I am at a loss to determine my reception; but hope it will be such as will tend to the general good.¹

On July 15, Governor Chittenden wrote General Haldimand that he had been informed of Colonel Allen's proceedings and had

communicated them to my Council and the Legislature of this state. . . . Nothing could have given me more pleasure than to have fully effected a settlement, agreeable to the Colonel's proposals, which would undoubtedly have been a prelude for entering upon, and establishing a full and final settlement.²

On July 20, General Robertson, Military Governor of New York, wrote Haldimand urging the importance of a treaty with Vermont. 'There is no sacrifice' too great.³ Haldimand replied on November 14, writing of his anxiety about Cornwallis (he had not heard of his surrender on October 19), and giving Robertson the many advantages that would accrue to the British if Vermont could be won over.⁴

On July 20, Major Josph Fay arrived on board the ship *Carleton* anchored near Crown Point and at once notified Sherwood that he had arrived and that he had forwarded to General Haldimand a letter from Governor Chittenden and one from Colonel Ira Allen, of July 10; also a list of prisoners to be exchanged. 'I am very desirous of entering on the business of my appointment.' He also sent Sherwood a book, Pope's 'Essay on Man,' sent to him by Colonel Allen. He closed his letter with 'Compliments to Mrs. Sherwood.'⁵

Reports from spies were coming in daily to Sherwood, and

¹ *Washington Papers*, Library of Congress; also Vermont Historical Society, *Collections*, vol. 2, p. 145.

² British Museum, Additional Manuscript 34544; also *Canadian Archives*, B-175, p. 97; also Wilbur Photostats, University of Vermont.

³ *Canadian Archives*, B-74, p. 128.

⁴ *Ibid.*, B-67, p. 45.

⁵ *Ibid.*, B-176, p. 163.

being forwarded to headquarters. On July 19, report of Clawson just in from Albany:

Thomas Smith, a member of the Vermont Assembly from New York, said he told Colonel Ira Allen he was apprehensive he would be put in jail in Albany as a Tory. Allen replied, we can raise 1500 men and in less than forty-eight hours can lay their town in ashes and release you, therefore fear not.¹

On July 21, spy Bottum's report of information received by him from Merwin of Arlington, was forwarded:

Brig'r [Ethan] Allen is turned out of all command and Colonel Safford (a zealous rebel) appointed Brig'r Gen'l in his place. Assembly much offended with Chittenden and Genl. Allen in presuming to act in the manner they had done without consulting them. The Governor said he thought he had a right² to send and receive letters without asking leave from the Assembly, but they informed him he had not, nor should not take it on himself for the future.

The friends to Government are discourag'd and think that the populace will never consent to treat with Great Britain. The friends are much in doubt whether the flag will be suffer'd to come in or not. Capt. Eli Brownson (brother to Major Brownson, prisoner in Canada) has been to Gen'l Washington to procure an exchange for his brother, but Washington frowned upon him and told him that the people of Vermont, after behaving well in the war, was now endeavouring to unite with Britain, which if they persisted in, he would turn his back on the common enemy and lead his whole force against that State and destroy it entirely, but if Vermont would stand by him in the common cause till the close of the war he would ensure them to be a 14th State. This he said he sincerely advis'd them to do, as this campaign will certainly give the last and finishing stroke to the war and secure the independence of America beyond all controversy. Brownson came back like a mad man and is doing everything in his power to set the people against [Ethan] Allen and his proceedings in which he has too well succeeded.

By the last information there is 450 men at Castletown commanded by Col. Walbridge, those are soon to be augmented to 700, to be station'd at Castleton, Rutland and Skeansborough.

The Assembly have appointed Col. Ira Allen, Doctor Jonas Fay and one man from the East side the mountain to go as Agents for Vt. to Congress, but if the flag is allow'd to come in, those men are first to come as commissioners to Canada and then to go to Congress. It was intended they should set off for Canada the 20th of July and for Congress the 20th Aug't.

July 21, Report from Abraham Wing who had been sent down to capture General Schuyler: This attempt was without

¹ *Canadian Archives*, B-176, p. 160.

² *Ibid.*, B-176, p. 172.

success, but he met Thomas Smyth, who delivered to him in writing the proceedings of the Vermonters.¹ This splendid secret service was due largely to Sherwood and Smyth. Their spies' reports were not always correct, but they assisted in forming British opinion. (If there was any dissatisfaction with Chittenden and Ethan Allen in the Assembly, this was not true of Ira Allen, as he was entrusted with the negotiations with Canada as well as the mission to Congress.) George Smyth, who was at St. John's, received Bottum's report and from it thought Dr. Jonas Fay was coming to Canada with Ira Allen. On July 22, Smyth wrote Mathews, 'Dr. Fay is one of the commissioners — I am glad of it, as my opinion of him is that he will be easily reconciled, this I suppose from what passed between him and I, when I was at Bennington.'² About this time Haldimand was anxious and expected Washington to attack either New York or Canada.³

The following incident illustrates Ira Allen's courage and persistence in furthering the cause of Vermont:

In July, 1781, General Ethan Allen was informed by one of his neighbours, that some of his friends from Canada wished to speak with him in the dusk of the evening of that day; that he would shew him the place if he chose to see them. At the time appointed, General Allen, with his cane only in his hand, cheerfully went to a British guard under arms, and received a packet from the British in Canada. In the twilight of the next day he met them again, and returned an answer; this mode of correspondence was continued and whenever dispatches came in this way, General Ethan Allen or Colonel Ira Allen (as they both lived in one house) went and received them and returned an answer, not trusting any other person with these dispatches. It is worthy of remark, that Sunderland, where they lived, was more than sixty miles from the frontiers; yet a serjeant and six or eight men frequently passed with their arms, in 1781 and 1782, without being discovered by any that would inform against them.

In these times party spirit ran so high against tories, or any correspondence with the British, that a person in Arlington, who had, on these occasions, rendered himself obnoxious to some brave and spirited people in Manchester etc. a party collected and set out to pull his house down; their plan was discovered by Colonel Gideon⁴ Brownson and Captain Eli Brownson, who met said party in Sunderland, and interposed by their advice, to prevent so rash a procedure. — Colonel Ira Allen soon came to their assistance; by their united

¹ *Canadian Archives*, B-176, p. 167.

² *Ibid.*, B-176, p. 174

³ *Ibid.*, B-104, p. 240 secret.

⁴ This was Colonel Timothy, as Gideon was a prisoner in Canada.

influence, with difficulty they persuaded said party quietly to return home. That the same evening, Colonel Ira Allen crossing the same ground, where said party were persuaded to return back, met a British guard under arms, received a packet, and returned an answer next evening.

This shews the vicissitudes of human affairs, and the dangers individuals are frequently exposed to, for the best good of the whole.¹

That Allen's diplomacy kept Sir Henry Clinton in doubt is evidenced by a letter to Haldimand, on July 23:

If a re-union of Vermont with the Mother Country can be effected, it must be productive of happy consequences, but I confess, I have my suspicion of those people as well as your Excellency.²

After Eli Brownson's conduct toward Chittenden and Ethan Allen, the Canadians decided not to exchange Captain Gideon Brownson. 'It may be necessary to retain that man as a kind of hostage for the brother's conduct which has appeared so violent,'³ wrote Mathews to Sherwood. On July 24, Major Fay, on board the *Carleton*, wrote Sherwood that by mistake he had sent Ira Allen's letter to him, with papers sent to General Haldimand, and when it was returned he would forward it to him. He also wrote he could not understand why some one has not met him to receive the prisoners.⁴ From the Loyal Block House, the new post on the frontier, Sherwood, on July 28, wrote Fay he was waiting for orders to receive him.

I am much concerned at your anxiety occasioned by necessary delays, but hope that your reception here, the fortunate execution of your business, your speedy and safe return home may in the end make some amends and (at least) convince you that the intentions of General Haldimand is entirely sincere and upright.⁵

The fact that Major Fay came alone on the mission and had Captain Eli Brownson in his escort, who had recently been with Washington, made them all suspicious of the Vermonters. Mathews wrote:

Ira Allen has of course sent some plausible reason for his not returning, but there would be nothing to prevent it, had his inclination led him to accommodation, on the other hand, after the sensibility he discovered in the close of the last interview, and the warm sense he expressed of His Excellency's candour and goodness he could not stand

¹ Allen's *History of Vermont* (London, 1798), p. 175.

² *Canadian Archives*, B-147, p. 321. ³ *Ibid.*, B-179, p. 69.

⁴ *Ibid.*, B-176, p. 178. ⁵ *Ibid.*, B-176, p. 182.

the test of conviction, which the General supposes must now appear, however artfully their conduct may be clothed.¹

Mathews wrote the following private letter to Sherwood on July 27:

The enclosed is the copy of a letter from Ira Allen, which, with a letter from Mr. Chittenden and papers respecting the exchange of prisoners (now enclosed to Major Dundas), were not discovered until this morning, having been put up with a parcel of letters for Prisoners. His Excellency desires you and Dr. Smyth will peruse Allen's letter with the utmost attention and compare its extraordinary composition of perhaps, Truth, Falsehood, Candour and Deceit with the different intelligence you have received, it is perfectly Honest or perfectly Jesuitical, and His Ex'cy is at a loss what to think of it. It answers exactly to his suspicions and the intelligence received, of their intention to procrastinate, and on the other hand, if the Populace are so violent as represented, the difficulty of suddenly disposing them to a Resolution is evident.

But the danger of giving them time to arm and strengthen themselves appears to His Excellency as evident, [Ethan] Allen's dismissal whether real, or design, is of little consequence, unless he has influence with the people.

If the latter, it evinces their fixed attachment to Congress, and if the former, unless Allen has the power to resent it, it marks a strength and confidence in themselves beyond our opinion hitherto. You will soon discover if there is anything to be expected from this interview, if not the General wishes the Flag to be dispatched as soon as possible, as he learns the enemy has a guard of 60 men in the neighbourhood of Crown Point who must interfere with our messengers and be an encouragement to those who incline to desert.²

On July 29, Sherwood wrote that he had given Smyth all information about Vermont and that he was sending out two parties to obtain further information. He complained that 'Major Fay has come in alone, he is not the man I wished to see, he is young in every thing but rebellion, had Vermont intended to act sincerely I think they would have sent Doctor Fay, Colonel Allen and Colonel Olcott . . . I have not yet seen Fay.'³ Chittenden and Allen were clever to send Fay, with Eli Brownson as one of his escort. They knew that Brownson could discover nothing and that he would see the exchange made and would likely report what he saw and heard to Washington.

There was soon to transpire a circumstance that none of

¹ *Canadian Archives*, B-179, p. 71.

² *Ibid.* B-179, p. 74.

³ *Ibid.* B-179, p. 183.

those concerned in these negotiations could have anticipated. Sir Henry Clinton was jealous of Lord Cornwallis and anxious to do something pleasing to the British Ministers. He wrote a letter in July, 1780, to Lord George Germain detailing an account of his efforts to win over Ethan Allen, and undoubtedly gave Germain the impression that he had really done so. On February 7, 1781, Germain wrote Clinton:

The return of the people of Vermont to their allegiance is an event of the utmost importance to the King's affairs; and at this time if the French and Washington really meditate an irruption into Canada, may be considered as opposing an insurmountable bar to the attempt [Washington had entertained such a design] ¹ General Haldimand, who has the same instructions as you to draw over these people, and give them support, will, I doubt not, push up a body of troops to act in conjunction with them, to secure all the avenues through their country into Canada; and when the season admits, take possession of the upper parts of the Hudson and Connecticut rivers, and cut off the communication between Albany and the Mohawk country. How far they may be able to extend themselves southward, or eastward, must depend on their numbers and the disposition of their inhabitants; but, if Albany should take part with them, the inducement to attempt to open a communication with them by Hudson's river will appear irresistible to people here.²

Clinton evidently received this letter about May 26, for Smith wrote in his diary on that date:

Visited Sir Henry Clinton. He is displeased with Lord George Germain, . . . Angry too for the publication of his [Clinton's] letter as asserting that Ethan Allen had joined us. He never said any thing more [than] that he had prospects. Yet the Minister congratulates him upon gaining Vermont. He has authority to promise them a separate government, *nothing more*. I told him they could not, but did not hint that the aid of Parliament would be necessary, but the title of the loyalists made that a delicate business.³

Germain sent a copy of his letter to Clinton to Haldimand; it was captured by a French man-of-war and sent to Paris. The French gave it to Benjamin Franklin, who sent it to Congress, where it was read July 31. Its effect on Congress will be related by Ira Allen in his account of his mission to that body in August.

The following letter from Sherwood to Mathews indicates

¹ Sparks, *Washington's Life and Writings* (Boston, 1853), vol. 6, pp. 56-423.

² *Canadian Archives, Walford Simcoe Papers*, vol. 1, book 1, p. 198.

³ *Smith Diary*, vol. 7, New York Public Library.

that Ira Allen's straightforward manner of dealing with them seemed to perplex them:

I have received your favours of the 26th and 27th Ult. with the enclosed letters and copy of intelligence, which I have this day communicated to Mr. Smyth. We have very cautiously perus'd [Ira] Allen's letter [of July 10] and compared it with the general intelligence and with his conduct at the Isle aux Noix. After the closest scrutiny we find ourselves perplexed and much at a loss what to think of him. If he is sincere and his declaration to the Gen'l be the truth, it appears to us that his conduct is upright and (to me) that he is the only proper person to be sent to Congress, to make proposals, which (if sincere) he will not fail to do in terms that he is sure will meet with such a denial as will alienate the minds of the Vermont populace from that rebellious Assembly and effectually incline them to place confidence in their leaders and look to Gen'l Haldimand for protection. On the other hand the apparent studied stile of form of Allen's long letter does not appear to us like the undisguised sentiments of an honest heart.

However, we hope to be better able to inform the Gen'l of their intentions after we have sounded Major Fay, which we shall endeavor to do as soon as he arrives.

The following paragraph in Allen's letter viz; 'A very considerable part of the citizens of this State are emigrants from Connec't and would choose charter privileges' has (to me) a stronger appearance of sincerity than all the other parts of his letter put together, as it seems to shew his anxiety to represent matters in such a light as to have no misunderstanding. I have mentioned Doctor Smyth's opinion in conjunction with mine in consequence of some conversation, I have had with him on this subject, but I dare say you will have it in his own words much clearer than I am able to express it, as I suppose he is now writing to you from on board the R. George.¹

Smyth did write the next day, August 3:

I have taken particular notice of His Excellency's directions to compare Col. Allen's letter with the intelligence from the Colonies, I have and am of opinion, as I always was that, that people are possess'd of perfidy, equivocation and hypocrisy and under the sanction of a cartel do intend to amuse us till they get their wish from Congress, augment their strength and put it out of our power to effect anything material this summer. Col. Allen's not coming to negotiate as Commissioner, proves, in my eye an evident circumlocution. Notwithstanding all this, I shall rest upon my surmise and wish, I may be disappointed in my conjectures as Captain Sherwood is of opinion, that Allen is a friend to government and would wish to compromise matters in his favour and I am the more inclined to suspend my further judgement on those people till I confer with

¹ *Canadian Archives*, B-176, p. 192.

Major Fay, who Col. Allen has strongly recommended to Capt. Sherwood, intimating his friendly desire towards us, and that he would use every means to accomplish the matter. My knowledge of Fay, gives me but little encouragement and Allen's procrastination strengthens my former ideas.¹

Haldimand realized that it was more dangerous to yield to the pleadings of the Vermonters for delay than it would be to force them to a declaration. His information led him to believe that they were forming magazines of ammunition and supplies and raising men and that soon they would be 'an important ally or a formidable enemy to either side.' He believed Ethan's withdrawal from the service was a deception and that Ira should have come with the flag instead of going to Congress. About this time his scouts captured a letter from Schuyler to Washington regarding the French fleet attacking Quebec while Washington attacked New York. Haldimand wrote Clinton that he believed this letter was allowed to reach him so that its information might prevent his marching southward to join Clinton.² In another letter to Clinton on the same day, August 2, he sent him all the details of his negotiation with Ira Allen and added:

they have likewise acknowledged a preference for Congress, provided they are admitted in alliance as a 14th state. The necessity of a compliance with this demand is obvious and must take place as soon as Vermont is in strength to assert it, for without her assistance or assent nothing can be carried on against this province by that route, and the obstacle will equally affect us in acting against the Colonies. If this contest should evidently point to a favorable termination for Great Britain, Vermont will become loyal, and offer assistance we shall not stand in need of; but if unhappily the contrary, she will declare for Congress, being actuated as well by interest as a heartfelt attachment to their cause. In six months she will be a respectable ally to either side.³

This frank statement from a British general pictures truly Vermont's position, and disproves all claims of her disloyalty to the United States.

While Haldimand was writing to Clinton on August 2, Clinton was addressing him on the same day, stating:

The French and Rebels only wait for a re-inforcement from the West Indies to make an attack upon this post, which I think they

¹ *Canadian Archives*, B-176, p. 196.

Ibid., B-147, p. 339.

³ *Ibid.*, B-147, p. 333; also Vermont Historical Society, *Collections*, vol. 2, p. 151.

certainly will attempt upon its arrival, and it is hourly expected. I need not therefore say of how much importance a diversion upon the frontiers of this province and the speedy decision of Vermont in our favor would be. The enemy's force opposed to me in this quarter is about 4000 French and 7000 rebels. The latter do not increase very fast, though it is a favorite object, what they now meditate.¹

Clinton on September 19, sent Beverley Robinson to ask William Smith if there was any way to make Vermont declare herself. Smith replied 'no not at present.' That day he wrote in his diary:

Nothing would compell them to co-operate with us but a dispair of maintaining the Congressional power. . . . Embarrassed man: why did you not direct the Canadian forces early in the spring to Minisink. Is this a time to ask for a rising in the North when you are preparing to move to the south? If you had gone against Washington before the French arrival . . . Vermont might have seen it expedient to declare herself.'

On September 23, Haldimand's letter of August 2 arrived at Clinton's headquarters. Smith wrote in his diary that day:

He [Haldimand] thinks of Vermont as we do. That they will not decide till forced to it. That they are collecting magazines and troops and will be useful allies or formidable foes. They chuse at present a neutrality. Canada in danger of a famine by caterpillers. No explicit promises of speedy activity.²

A plan was formed by the British to capture General Bayley, and men were sent out the last of July for this purpose, but were stopped by Sherwood, for fear of offending while Major Fay was there with the flag.³ Hawley of Arlington was sent to Colonel Wells, Judge Jones, and Luke Knowlton, while Tenney was sent to Olcott, all residing along the Connecticut River. Other spies were dispatched to Mr. Lansing in New York and Colonel John Williams at White Creek.⁴ A long list of questions was sent,⁵ which if answered would give the British important information. It was their design to secure the answers before Fay's departure. Mathews wrote Sherwood August 4:

¹ *Canadian Archives*, B-147, p. 331; also Vermont Historical Society, *Collections*, vol. 2, p. 153.

² *Smith Diary*, vol. 7, New York Public Library.

³ *Canadian Archives*, B-176, p. 179.

⁴ *Ibid.*, B-176, p. 199.

⁵ *Ibid.*, B-178, p. 375.

The report of the messenger you sent to wait the return (from Congress) of Ira Allen will, I fear, prove authentic, and His Excellency's suspicions be verified. Bring matters to a determination as speedily as possible with Fay.¹

Fay having been transferred from the *Carleton* arrived on the *Royal George*, opposite the Block House, met the Commissioners on board August 7, and at once wrote to Haldimand regarding the exchange. Bills were presented against Vermont prisoners, but none by the Vermonters against the British. Fay was willing to pay any charges against Captain Brownson and regretted prisoners taken from Vermont's annexed territory were not to be included.² Fay at the same time sent to Haldimand the following private letter, probably prepared, as were all other papers of this negotiation, by Ira Allen. Allen realized that, as Fay had no instructions to negotiate a reunion with Great Britain, the Canadian Commissioners would be suspicious; he therefore handled the point in clever style:

ON BOARD THE *Royal George*,
LAKE CHAMPLAIN, 9th August, 1781

(*Private.*)

SIR: Having done myself the honor to write you on the subject of an exchange of prisoners, I beg leave to address your Excellency on another subject more interesting and important for the mutual happiness and well-being of both parties, could the happy event be soon brought about. I have been favored with the perusal of sundry letters on said subject from you to Captain A. and B., as also conversing very freely with them. It gives me pain to find any apprehensions in your Excellency's breast that the gentlemen of Vermont, who are all acquainted with your good intentions, are wanting in sincerity, and am, at the same time, sorry to mention the jealousies which arise from the distance you have been pleased to keep the proposals made to them through your Commissioners at different times, from which they are ready to conclude the design is no other than to involve Vermont in a war with the other states, and then they would become an easy prey.

I am happy to find by the letters shown me by your commissioners, that your good intentions toward the people of Vermont are honorable and upright. I am convinced for myself and would sincerely wish proper measures to be taken to remove every jealousy which may subsist on both sides, which, I am confident, your proposal and assurance of your having competent authority from the Court of Britain therefor would effect on the part of Vermont. I

¹ *Canadian Archives*, B-179, p. 79.

² *Ibid.*, B-175, p. 101.

shall, however, acquiesce in your determination on that head. Colonel Allen's letter to you of the 16th ultimo, expresses nearly everything I can conceive interesting in the present negociation, a repetition of which would be [un]necessary. I can only assure your Excellency that his letter expressed the sense of the Governor and Council, as I was present when it was read, and by them and General Allen approved. As Colonel Allen mentioned the three general officers being made acquainted with his proceedings, I need only mention that a number of other principal gentlemen are entrusted, whose influence will be very serviceable in bringing about the change of government hoped for in October next, and for the purpose of being assured of each others fidelity, on being acquainted with Colonel Allen's proceedings, freely subscribed their names to a paper declaring their approbation, which, together with any proceedings which concerns this subject, will be communicated at any time to you, or such as you shall substitute for the purpose, if the present proceedings meet your Excellency's approbation, which I hope to be honored with in your answer to this.

I wish it was in my power to remove every suspicion you may have against the good intentions of the people of Vermont, but I can only assure you of my own, and that I have not the least doubt you may rest equally assured of the sincerity of such of the others as are made acquainted.

I am not unappraised of your Excellency's anxiety to close the present negociation, nor of your being much disappointed at my not being fully authorized for that purpose. I must entertain that good opinion of you, that you will not come into any hasty or unreasonable determinations. I refer you to Colonel Allen's letter aforesaid for the reasons why I was not fully authorized. Any instructions short of competent authority could only prove a deception, and consequently fatal. Captain A. and B. will be more particular to you in their letter.

I am, sir, your most obedient and most humble servant,
JOSEPH FAY ²

His Excellency, General Haldimand.

On August 9, Mathews wrote Sherwood:

Your favor of the 29th Ultimo covering letter from Major Fay to you, and Your answer, did not arrive before yesterday. I laid them before His Excellency, who is sorry to find your hopes of success so corresponds with his suspicions. They have gone together hitherto, and I fear will continue so, the change of the Commissioners but too plainly evinces that little is to be expected from this interview, the result of which, the General waits with impatience to hear. He is determined steadily to pursue the Candid System avowed to Col. Allen and promised by him to be adopted by the leading men of Vt.

² *Canadian Archives*, B-175, p. 104; also *Vermont Historical Society, Collections*, vol. 2, p. 158.

He has exhibited to that people unbounded generosity, humanity and tenderness if these are to be repaid by ingratitude and duplicity, they must expect the natural consequences, and however deep their art and duplicity they may be assured His Excellency will not be deceived by them.

A letter by this post, to Dr. Smyth (which you will upon all occasions mutually consider to both) will advise you of His Excellency's wishes to make the most minute discoveries into the situation of their Magazines, that no time may be lost in preparing for the worst. An express will be sent from Montreal to Carleton Island for the Guides you want, and if there are any others, however employed, the General desires you will immediately send for them. A letter from Capt. Chambers reports to His Excellency that a Serjt. and 12 men of Warner's Corps were sent across Lake George to stop the prisoners intended for exchange, this the General conceives is intended to heighten the deception and give credit to the report which prevailed of the flag being stoped by Congress.

You are before this letter acquainted with that affair and of course upon your Guard against it.¹

Sherwood wrote to Mathews the same day, endorsed with Dr. Smyth's approval:

DEAR SIR:

Doctor Smyth and your humble servant have been busily employed with Major Fay on the subject of a Union; I am sorry to find him so unprepared as Col. Allen was to close the proffer'd terms. He has no written instructions on this subject, owing (he says) to their not being able in the last Assembly to procure a majority, although they came within two or three of it and he is confident they will have a great majority in their next Assembly. He appears candid, sincere and open without any reserve and declares that the Governor, Council and leading men are bringing about the revolution as fast as time and circumstances will permit, that nothing has been omitted which could be done with safety by the Governor, Council and other well wishers to the King's Govt. Those have entered into a written combination which they cause everyone to sign that is let into the secret. This combination with the doings of the last Assembly, the agents instructions to Congress and any other papers or doings respecting this affair, which his Excellency desires to see, Major Fay engages to forward by the first safe opportunity; in short the Major expresses the greatest anxiety to remove every reason for suspicion, he laments that he could not be authorized by the voice of the people to close with the Gen'l's terms at this time he avers that Colonel Allen's letter to His Excellency is the true sentiments of the Governor and Council. However, as I suppose he is now writing on board the Royal George, his own sentiments and reasons to the General, I need not enlarge on this subject

¹ *Canadian Archives*, B-179, p. 82.

and I shall only observe further that my knowledge of the Major's veracity and strict sentiments of honour in his private character forbids me to harbour the most distant thought that he could possibly be capable in the elevated and publick character he now acts, to use the least deceit with Gen'l Haldimand, much less to act so unlike a gentleman, a soldier or a Christain as he must, if the Governor Council and leading men of Vermont are not now sincerely and studiously making every possible effort to effect the much wished union.

I am requested by the Major to inform his Excellency that the exchange of Capt. Brownson would have a good effect on the minds of the people and could not in the least degree retard the present negociation, especially as Colonel Brownson (His brother) is a very influential man and well attached.

Major Fay on perusal of this letter desires me to say all papers his Excellency wishes for, as above mentioned, shall be forwarded by the same hand, with Col. Allen's doings at Congress, which will be as soon as he returns.¹

The next letter from Mathews to Sherwood, August 16, gives indications that General Haldimand was becoming discouraged:

Your private letter by Mr. Breckenridge is communicated to His Excellency. It is with no small concern he perceives that yours and Mr. Smyth's sentiments of Mr. Fay and his Employers, coinciding with his own suspicions, should be so very different from what every honest man ought to credit from the Professions of another, and His Excellency keenly feels the pain resulting from the necessity of treating those people with an appearance of confidence which he cannot entertain for them. It must however be done untill their views can be further seen into.

His Excellency did not think proper to answer Major Fay's letter himself, but he writes one to you and Doctor Smyth in answer to it, which he leaves to your judgement to give him a copy of, or not, as you shall think best, if the former, perhaps it would be right not at once to acquiesce with his desire of having it. How puerile it is, to offer to send those essential Papers which he should have brought with him.

His Excellency thought it would come better from his agent in this affair to require, they may by all means, be sent, together with what passes in Congress than himself to seem anxious about it, or to take any other notice of it than to mark the Impropriety of the Conduct.

His Excellency has not a doubt that their views are to procrastinate for the purposes suspected by you and Dr. Smyth, you must therefore employ every argument possible to represent the danger of delay, the risk they run from both parties, but the *Certainty* of never

¹ *Canadian Archives*, B-176, p. 145.

being received by Great Britain, except in General Terms with America, should they reject the present offers. Paint to them the Impossibility of their being excluded from the consequences which may follow the refusal of the last offers in Sir H. Clinton's Proclamation by any other means than their acceptance of General Haldimands Friendship so Humanly and so Critically offered to them, assure them that in the General Settlement of Affairs now become an object of attention with the Powers of Europe, Vermont will never once be mentioned, or thought of, and that she must, unheeded, drop into her former Domestick Broils and Misery. I enclose you Sir H. Clinton's last Proclamation and by Mr. Breckenridge I send you a Magazine containing the last Proposals to America by His Majesty's Commissioners. The General thinks it is impossible that Mr. Fay and the principal men of Vermont have not seen them and hopes the demand is made with a view to plead Ignorance and to acknowledge the Justice and Generosity they breathe, if so, let them enjoy their Deceit.¹

Haldimand did not care to put himself on record, so he wrote his Commissioners to express his views to Fay:

H. — General Haldimand to his Commissioners, for Major Fay (Private.)

QUEBEC, 16th August, 1781

SIR: You will please to acquaint Major Fay that I am favored with his letter [private] of the 9th instant, and that I cannot help feeling concern and disappointment that he is not vested with powers to be more decisive upon the subject of it; the former arising from a motive of humanity and a desire as well to recall to the Mother Country her natural right as to restore happiness to a brave people, whose distresses I have really felt for; the latter from an expectation, founded upon the assurances of Colonel Allen, that the present flag should bring sufficient authority finally to negotiate and settle a re-union of Vermont with the Mother Country. I have been so little accustomed to deceit and intrigue that it is painful to me to suspect, yet from the breaches of faith which have been exhibited by the opponents of Government in this Province (both in public and private instances,) from the delays and obstacles in the present affair thrown in the way of my endeavours for reconciliation, from unreasonable expectations and demands upon the subject of the exchange of prisoners, from the diffidence discovered by the unheard of practice of sending strong guards or rather detachments with flags of truce, but above all from the acknowledged construction of my views, that they are to involve in war with the other states a people whose interest I have with every sentiment of candour manifested my inclinations to promote, I confess I am taught to entertain doubts which it will give me pleasure to find have been ill-founded, but which the nature of my situation cannot fail to justify. The distance

¹ *Canadian Archives*, B-179, p. 103.

complained of in this transaction, proceeded, you must remember, from the express desire of the parties, of this side of Vermont, and mutually agreed to by my agents when the affair was first agitated, *that the strictest secrecy should be punctually observed*. Under these circumstances, I could not think of risking my sentiments in writing, amongst a people who, whether from necessity or inclination had given up similar letters to Congress. It would have been infinitely more suitable to my ideas to have promulgated my wishes by proclamation, which I should still do, could I think it would reach the ears of the people in its real sense, but every attempt of that kind has been so industriously counteracted from the commencement of the unhappy conflict, that in the present situation of affairs it would be in vain. Much pains were taken with Colonel Allen to make clear to him my sentiments and determination. He took his leave seemingly impressed with a conviction of my candour and friendly offers, and promised a similar reception of them from Governor Chittenden, General Allen, and other leading men in Vermont, to whom they have, of course, been fully represented by him, yet nothing has been done; the same system of procrastination prevails, and the affair stands upon the departure of Mr. Fay, just where it did last May. The papers alluded to in Mr. Fay's letter could surely have been entrusted in his hands for the perusal of my agents in this affair, and it would have been no more than has been done from the beginning on my part; to leave these behind was to come without his errand. It is with much reluctance that I should relinquish the pleasure of being the instrument of recalling to allegiance the people of Vermont, and restoring to them peace and happiness; yet I foresee that my duty will require it of me. I have, with much difficulty and management, avoided everything but the appearance of hostilities. While their country might have been ravaged by continual parties, it was still my *wish* to forbear, upon the faith of Colonel Allen's and Mr. Fay's professions, but it is not in my power to say more. Were that people but half as desirous of a union with Great Britain as with the Congress, they would now be a happy people, independent of every power on earth, except the parent one. The Congress has repeatedly denied them the terms they contend for, and by temporizing they may fatally become the dupe of both parties, for should America prevail, they cannot suppose Congress will, in prosperity, grant what they have so repeatedly refused when their alliance would have been serviceable; on the other hand, should America be disappointed, they cannot, with any degree of reason, expect from Great Britain terms so cordially preferred, which they have so coldly rejected for a shadow of independence, and it is too romantic to suppose that in the general conclusion of the wars, which now subsist, in which the powers of Europe are materially concerned, Vermont will ever be considered. In short, I do affirm (and I hope I shall be believed) that if it is the intention of Vermont to trifle with me, she will find herself deceived. If to accept the terms proposed, so strongly disinterested on the part of Government, and so evidently

generous and consonant with the interest of Vermont, I shall receive her with open arms, and I hope she will avoid too late and an ineffectual repentance.

The prisoners, or the greatest part of them, being now exchanged, I shall not expect a flag of truce from Vermont upon any other business than to signify her acceptance of my offers, and at all times to consist of no more than four or five persons, who will keep their flag constantly flying.

Major Fay will be so good to acquaint Colonel Allen that I received the favor of his letter.¹

To Messrs. A. and B.

When Fay went on board the *Royal George*, he left the prisoners he had brought and his escort to guard them, at Mount Independence, near Ticonderoga. While he was engaged in his negotiations, they, having nothing to do, began to fish the cannon out of the lake that the British had thrown there when St. Clair evacuated Ticonderoga. When this was brought to Fay's attention, he had it stopped and declared the scouts were not hostile.² The British, with their list of prisoners, presented a bill for food and clothes for some of them. Fay had mildly protested against this. Mathews, in a letter of instruction to Major Dundas August 16, wrote on the subject:

Observe to Major Fay, that no charge would ever have been made for such prisoners who could be entrusted to earn a livelihood by their industry, but the perpetual instances of desertion from the most indulgent situations cannot avoid curtailing His Excellency's humane intentions. There are many of them besides so indolent, or so perverse, as to prefer their ration of provision to a more eligible maintenance, these tho' undeserving, cannot be permitted to go naked, nor is it reasonable to load Government with expense on their account.³

General Haldimand wrote to Governor Chittenden, August 16:

I am favored with your letter of the 15th ultimo, by the arrival of Major Fay, to whom I beg leave to refer you for the particulars of what has passed between him and my Commissioners upon the subject of exchange of prisoners, in which, to avoid difficulties or the smallest appearance of being tenacious, the prisoners nominated by

¹ *Canadian Archives*, B-179, p. 92; also Vermont Historical Society, *Collections*, vol. 2, p. 161.

² *Canadian Archives*, B-142, p. 100.

³ *Ibid.*, B-132, p. 137.

Major Fay have been given in return for those indiscriminately collected and brought in by him, and every circumstance of the exchange made as easy as possible.

I have likewise, at the earnest request of Col. Johnson, permitted him to return to his home upon parole until exchanged or called back to this Province.

Reasons which will be signified to you by Major Fay, forbids my detaining the flag until the prisoners at this place can be sent to join him.

All those in the neighbourhood of Montreal will accompany him, the rest will follow under the care of Capt. Brownson and a flag of truce.

Few prisoners now remaining on either side, I cannot think of entering into terms to establish a permanent cartel.¹

While Fay was on board the ship, the British were receiving information from spies, scouts, and prisoners. Fay informed the Commissioners that Governor Chittenden requested him to procure a copy of the terms offered to America by the British in 1778. If furnished, he requested that it 'may be kept private, as the knowledge of it in his own country might be attended with consequences dangerous to him.'²

Haldimand continued suspicious. On August 13, he admitted Allen was 'very upright in his conduct with him, or very much the contrary, he is more inclined to apprehend the latter.'³ Smyth wrote on August 14:

Yesterday, I acquainted him, [Fay] I was not ignorant of the duplicity of Vermont and that I looked upon him to be an agent in their designs etc. I told him if he was the harbinger of evil and purposely come here to amuse us, his wife should be deprived of a husband and his children of a father, his reply was, 'if he didn't act honorably, he was satisfied.'⁴

On August 11, Haldimand received information that Allen [Ethan] and the Green Mountain Boys were acting a double part. If he desired it, Allen could be captured and taken to Canada.⁵ Notwithstanding such reports, Haldimand began to believe more in the sincerity of Colonel Ira Allen. He was willing to have his Commissioners meet him at a later date, but they must use every precaution to secure their persons. He was willing to delay matters, if it was really required.⁶

¹ *Canadian Archives*, B-175, p. 110.

² *Ibid.*, B-176, p. 209.

³ *Ibid.*, B-179, p. 89.

⁴ *Ibid.*, B-176, p. 217.

⁵ *Ibid.*, B-161, p. 306.

⁶ *Ibid.*, B-179, pp. 107, 110.

On August 20, the day before Fay left the *Royal George* to return to Vermont, he was given a copy of General Haldimand's letter to the British Commissioners, and in consequence thereof he gave the following pledge to them:

I do hereby pledge my sacred faith and honour, as a gentleman and private agent instructed by the Governor and a number of the Council of the State of Vermont, to communicate their sentiments to Gen'l. Haldimand respecting a private negotiation; that all letters, extract of letters or other writings relative thereto, which I have or shall receive from General Haldimand, or his Commissioners or Agents, I will not suffer them to be copied, made public or transmitted to Congress.¹

He promised to meet the Commissioners again on September 5, at Skenesborough with all papers and possible intelligence. Fay gave his note for the advances made to Vermont prisoners. Sherwood and Smyth wrote that 'Major Fay took his leave with as much apparent satisfaction and sincerity as Colonel Allen had done before him and left us as much in the dark.'²

On August 26, one hundred and thirty women and children of Tory families and French citizens arrived at St. John's, in charge of William Marsh.

They came through Vermont, applied to the Governor, who gave them passes and treated them kindly. Howard [Spy] and party confined in jail in Bennington, much abused by mob unknown to Governor, which put him in such a passion, that he swore, if ever they would do the like again, he would make examples of them.³

The answers to the questions sent to Jones, Olcott, Wells, Knowlton, Lansing, and Colonel John Williams were not received by Sherwood and Smyth until a few days after Joseph Fay had departed. These answers⁴ verified Ira Allen's statements made to the British Commissioners. They stated that a member of the Legislature, when the Council were present, called on the Governor for

all the papers which had passed between him and British officers. . . . After some altercation the question was put, contrary to the wish of the Governor, and carried, that all the papers should be sub-

¹ *Canadian Archives*, B-176, p. 241; also Wilbur Photostats, University of Vermont.

² *Ibid.*, B-176, p. 245.

³ *Ibid.*, B-176, p. 253.

⁴ *Ibid.*, B-176, pp. 199, 233, 261, and B-179, p. 120.

mitted to the inspection of the house. . . . A large majority of the Legislature was really desirous of being admitted into confederation with the other states.

They reported that whatever Allen and Fay agreed to with Congress must be ratified by the Legislature; one thing they must not agree to was that Vermont should pay any of the expenses of the war 'hitherto accrued.' They all believed Major Fay .

to be desirous of effecting a reconciliation with Great Britain and that his business is to prevent, if possible, any hostilities being commenced until the Legislature meet in October next. . . . The leading men amongst us who were for independence (except the Governor, a part of the Council and a few others) generally continue in the same sentiments . . . Populace at present . . . for independence of America, tho by no means so zealous as at the beginning of the contest. . . . We are undetermined in our opinion respecting the result of the negotiation, we think it will materially depend upon the report of our agents now at Philadelphia. . . . We are informed that Governor Clinton obtains very particular and frequent accounts of the transactions between Government of Canada and Vermont from your quarter. . . . our ardent desire to be again under the government and protection of Britain . . . will induce us to do all in our power . . . yet we conceive ourselves much exposed.

They wrote that they were not fully informed what the British would do and enquired

whether General Haldimand has the power of erecting a separate province upon Connecticut River and whether he has authority to include the . . . New Hampshire Grants.

By a resolution of the Legislature Ira Allen and Dr. Jonas Fay, agents to Congress, were 'directed to set off on the business of their appointment by the first day of August next.' It may have been the custom at that period for all gentlemen on a mission to Congress to wear swords, especially if an officer of the militia. That Allen and Fay wore them is indicated by a note evidently written by Dr. Fay to some one in Sunderland or Arlington: 'Bennington August 1. Tomorrow morning we advance on our tour to Philadelphia. Colonel Allen has omitted his sword and I have none to forget. If you will favor me with the loan of yours, will return &c. Mr. Stephen Hopkins will bear this and return [with] the two swords, should this obtain.' ¹ Ira Allen knew that his journey

¹ Vermont, Secretary of State's Office, vol. 38, p. 45.

to Canada was known by Congress, yet he had no fear to appear before them. They were two weeks in reaching Philadelphia and were absent from Vermont thirty-five days.¹ Continental money had greatly depreciated, the States they passed through would not accept Vermont currency, and it must have been difficult for them to pay the necessary expenses. Allen advanced the specie from his own funds. Other States were in worse financial condition than Vermont. Samuel Livermore, New Hampshire's delegate to Congress, wrote to President Weare July 24: 'So I must live on borrowing, or nobody knows how, for I have not forty dollars clear at this time. . . . That dispute [Vermont] is in agitation and I hope will soon be ended. York delegates not arrived.'²

Roger Sherman, Senator from Connecticut, wrote from Philadelphia to Josiah Bartlett of New Hampshire July 31, sending him a copy of the Act of Massachusetts relinquishing her claim on Vermont, and suggesting, if New Hampshire and New York would do this, it would lead to 'a speedy and amicable settlement [and] would conduce much to the peace and welfare of the United States.' Regarding negotiations between Vermont and the British, which were known to him, he wrote: 'I don't think the people have any inclination to come under the British Yoke or do anything injurious to this Country, yet if left in the present situation, they may be led to take steps very prejudicial to the United States.'³ He doubted if Congress could decide the matter during the war. On August 3, James Duane and Ezra Hommedieu, delegates in Congress from New York, sent a memorial to that body reciting the different resolutions of Congress passed since September 24, 1779, and the acts passed since that date by New York, New Hampshire, Massachusetts, and the Grants. It was a document of over one thousand words, ending with 'Done at Philadelphia, in obedience to the express instructions of the Legislature of the State of New York.'⁴ Congress, as did many others, knew that the Legislature of New York would have voted to give Vermont her independence had it not been for her Governor's influence against it.

¹ Force *Transcripts*, Ira Allen Account, Library of Congress; also Wilbur Photostats, University of Vermont.

² *Weare Papers*, vol. 10, p. 14, New Hampshire Historical Society.

³ Massachusetts Historical Society, Letters and Papers, 013.24, p. 45.

⁴ *Papers of the Continental Congress*, No. 40, 1, folio 37, Library of Congress; also *Canadian Archives*, B-175, p. 120.

CHAPTER IX

THE ISSUE IN CONGRESS AND THE BRITISH PROCLAMATION

1781

THE work performed at Albany by Ira Allen at the beginning of the year (1781) was having its influence in Congress. The New York delegates wrote August 7, that they had communicated their instructions to Congress 'in the most solemn form. . . . Those who were adverse to decision are now active to promote it. . . . All that passed last winter at Albany had preceded us and made the impression which may naturally be supposed.'¹ On August 21, they wrote to Clinton, 'our title was winked out of sight.'² In letters of Duane and other members of Congress they invariably wrote, 'Ira Allen and his associates are here,' a tacit recognition of Ira Allen as the able man guiding the affairs of Vermont. On August 7, Congress voted to appoint a committee of five to hear testimony in the controversy and recommended the Grants 'to appoint an agent or agents, to repair immediately to Philadelphia with full powers and instructions.' They also resolved that, in case they recognized the independence of Vermont, they would guarantee to New York and New Hampshire the territory recently annexed to Vermont.

These resolutions of Congress were sent to Governor Chittenden through General Washington by a special messenger, with a verbal inquiry, whether the people of Vermont would be satisfied with the independence suggested by the resolutions, or really designed to join the enemy. Governor Chittenden informed the messenger that the negotiation with Canada was to secure the State from invasion; that the people of Vermont were zealous supporters of national independence; and desired the admission of their State into the Union; but that under no circumstances would they submit to the jurisdiction of New York; 'that they would oppose this by force of arms, and would join with the British in Canada, rather than sub-

¹ *Clinton Papers*, No. 3878, New York State Library.

² *Leg. Papers*, No. 2433, New York State Library.

mit to that government.' ¹ This activity of Congress and Washington's inquiry were occasioned by the letter from Lord Germain to General Haldimand captured by the French, read in Congress July 31. Ira Allen wrote afterward, 'This information had greater influence on the wisdom and virtue of Congress, than all the exertions of Vermont in taking Ticonderoga, Crown Point, and the two divisions from General Burgoyne's army, or their petition to be admitted as a state in the general confederation, and offers to pay their proportion of the expenses of the war.' ²

On August 7, General Schuyler wrote to Governor Clinton that a party from Canada had tried to capture him, and also that the British spy Howard had been captured by the Vermonters, and added, 'I believe the Vermonters have or will hang Howard.' ³ Governor George Clinton in a letter from Poughkeepsie, dated August 7, to Brigadier-General James Clinton, wrote of the Vermont negotiations with Canada and the capture of the Germain letter to Haldimand which 'proved their treason.' 'I would yet wish to believe that the leaders only are concerned in this wicked business . . . and yet it can hardly be supposed that they would have been so hardy as to have ventured on a measure of this kind in which they had so much to fear and nothing to expect without the support of at least a majority of the inhabitants.' He wrote this long letter to General Clinton, who was in command of the New York troops, that 'you may be on your guard and prepare by every means in your power to defeat their intentions.' ⁴

On August 8, General Stark wrote President Weare from Bennington that he found 'the true state of the people to be very different from the reports that prevailed in New Hampshire.' ⁵ He also mentioned the capture of Howard by the Vermonters. John Sullivan, delegate in Congress, wrote President Weare August 7: 'The affair of Vermont has been in agitation a long time; nothing is yet determined on, but I am convinced the result will be a recognition of its independence. Limiting it by the west bank of Connecticut river.' ⁶ Samuel

¹ Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 2, p. 316.

² Allen's *History of Vermont* (London, 1798), p. 177.

³ *Clinton Papers*, No. 3886, New York State Library.

⁴ *Emmet Collection*, No. 660, New York Public Library.

⁵ *Weare Papers*, vol. 10, p. 30, New Hampshire Historical Society.

⁶ *Ibid.*, p. 26.

Livermore, the other delegate in Congress, wrote the same day to President Weare, expressing regret at the State's embarrassments in regard to currency: 'Silver and gold is plenty here.' He also predicted that the grants west of the river would be acknowledged independent. 'The main point now is how to quiet the remainder. . . . Congress is vastly changed since I was here in February 1780. . . . My business now is if possible to secure the grants east of the river.'¹ Ira Allen's judgment in conceiving the plan of the two unions was now being verified.

General Stark, on August 9, wrote Washington from Bennington that the Governor and leading men had promised him their assistance. He informed him that in a few hours one hundred and fifty mounted men had responded to a call from New York for assistance. He told, too, of the capture of Howard and 'esquire Bleeker.'² Washington answered that he was 'very well pleased with the account you give of the disposition and behavior of the people of Vermont. . . . Howard should be closely confined.'³

President Weare wrote Washington August 13:

Had it not been for this unaccountable and altogether unexpected destruction of our currency, [by the people of Massachusetts refusing to take Continental bills] the only one we had, I doubt not we should have been able to carry the acts [for completing the quota of New Hampshire in the Continental army] fully into effect, excepting in that part of the state which, as I mentioned in my letter of the 23, of July, under pretence of joining what they call Vermont, have refused to raise men or furnish supplies of any kind, so that there will be a deficiency on that account of more than a quarter part, both of men and supplies, until Congress, before whom the matter lies, shall determine upon it.⁴

Vermont at this time was worrying Washington and he was anxious to have Congress decide her status.

At an inn just outside of Philadelphia,⁵ the same day on which Allen and Fay reached the city, they saw a newspaper containing a copy of the letter of February 7, written by Germain and read in Congress. Men with guilty consciousness of

¹ *Weare Papers*, vol. 10, p. 29, New Hampshire Historical Society.

² Caleb Stark, *Memoirs and Official Correspondence of John Stark* (Concord, 1860), p. 215.

³ *Ibid.*, p. 218.

⁴ *Washington Papers*, Library of Congress.

⁵ Allen's *History of Vermont* (London, 1798), p. 176.

a treasonable act would have secured their safety by flight. They proceeded and arrived on the evening of August 13, and, on the following day, sent a copy of their commission to the President of Congress. The committee appointed to meet Allen and Fay consisted of one member from each State. The papers that passed between them are inserted to evidence Ira Allen's diplomatic handling of an intricate political matter. In his negotiations with the British his greatest care was to say or write nothing that would enable the enemies of Vermont to prove that she was going over to the British, and in his negotiations with Congress he had to be most circumspect, as the British would have copies of all papers and learn the particulars of all conversations. The British expected that he would make demands that Congress would reject, and thus open the way to make of Vermont a British colony. Allen and Fay adhered to the strict letter of the agreements made in forming the two unions, which was that Vermont should be admitted as a State and, when their delegates had taken their seats in Congress, the question of the annexed territories would then be decided. Woodward undoubtedly would not have signed any proposition that did not include this stipulation. Only a brave man could have gone to Congress in view of the prevailing suspicion that he was negotiating with the British. Allen's fine personality and his many friends, among whom was Roger Sherman, saved him from arrest.

The agents of Vermont had many private conferences with the committee of Congress, after which the following proposition was submitted. Since Beza Woodward, one of the three to sign this document, was from the New Hampshire side of the Connecticut River, it had to be drawn very carefully, not to antagonize him. It is in the handwriting of Jonas Fay, who wrote a very legible hand, but Ira Allen's master mind is evidenced in every clause.

PHILADELPHIA, August, 18, 1781

To the Honorable Committee of Congress:

Whereas, the State of Vermont hath formed jurisdictional union with people inhabiting a district of land known by the name of New Hampshire Grants, east of Connecticut River, on apprehension that the said district does not of right belong to New Hampshire; also with a district 20 miles in breadth lying west of the New Hampshire Grants, on apprehension that it does not of right belong to the State of New York; by means of which unions it is impracticable for the

people on the New Hampshire Grants west of Connecticut River *only*, to perform any public act as a state exclusive of the districts above mentioned and that the claims of the people on the said districts to independence from the said states of New Hampshire and New York respectively may have a full and fair hearing; and that a final decision may be had thereon as soon as may be. Therefore, the subscribers, delegates from and in behalf of the state of Vermont, beg leave to propose the following as terms which appear to them necessary in order to [effect] a Federal union between that and the United States.

1. That Vermont be recognized as an independent state under the following description, viz: Beginning at the northwest corner of the state of Massachusetts, which is the northwest corner of the town of Williamstown, and from thence extending eastwardly on the north line of Massachusetts to the west bank of Connecticut River; thence up the river as it tends to the 45th degree of north latitude; thence west in said latitude line to the center of the deepest channel of Lake Champlain (west of Missisque Bay) thence southwardly in the deepest channel of said Lake as also the channels of the South and East Bays to the head of the latter; thence up the deepest channel of the Poultney River and the west line of the town of Poultney; thence southwardly on the westwardly lines of the several towns of Poultney, Wells, Pawlet, Rupert, Sandgate, Arlington, Shaftsbury, Bennington and Pownall to the place of beginning.

2d: That delegates to represent the state of Vermont in Congress be elected by the representatives of the freemen of s'd state as it is now extended until the several claims of New Hampshire and New York be heard and determined.

3d: That the several claims of New Hampshire and New York be determined as soon as may be and agreeably to the mode prescribed by the Articles of Confederation for decision of disputes between two or more states concerning boundary, jurisdiction, etc.

4th: That Vermont have the same right as any other state, on application to Congress to have an hearing on the said disputes, and be admitted in like manner by their agents (to be appointed for that purpose) as a party in support of the claim of the people within the said districts to independence from the said states of New Hampshire and New York respectively, and in case that on trial the districts aforesaid shall be found not of right to belong to the states of New Hampshire and New York, respectively, they shall be thenceforth considered as belonging to the jurisdiction of the state of Vermont. Then the following written questions and answers passed between the Vermont agents and the committee on August 18:

Query 1st: Are the boundaries, set forth in the written propositions delivered in by the said agents at this time, claimed by the State of Vermont, as the lines of jurisdiction, the same as contained in the resolution of Congress of the 7th of August instant?

Answer: They are the same, with the addition of part of the waters of Lake Champlain, for the benefit of trade, etc.

Query 2nd: What part do the people of Vermont mean to take, as to the past expences of the present war, and what aid do they propose to afford as to men and money, to the common defence?

Answer: Such proportion as shall be mutually judged equitable, after their admission to a seat in Congress, which has been several times officially proposed by agents on the part of Vermont.

Query 3d: What are the ideas of the people of Vermont relative to the claim of private property, under grants or patents from New Hampshire, or New York, previous to the present revolution?

Answer: Altho' the State of Vermont hath not, hitherto, authorized any court to take cognizance of such causes, as respect titles of lands, nevertheless, they have had, and still have it in contemplation to adopt such modes, as the circumstances, arising out of each case, may justify, without adhering to the strict rules of law.

Query 4th: What are the intentions of your constituents in regard to the patents that were granted on condition of settlement within a given time, and which have been prevented by the claims of the people of Vermont, and the present revolution?

Answer: No forfeitures have been taken by the state of Vermont, on any such grant, for non-performance of conditions of settlement, and we conceive it to be the intention of our constituents to grant a further reasonable time for fulfilling such conditions.

Query 5th: What are the number of inhabitants within the lines mentioned in their propositions above mentioned?

Answer: As the citizens of Vermont have not been lately numbered, we can therefore only estimate them at about thirty thousand, which we conceive to be nearly a true estimation.

Query 6th: What quantity of land is contained within the said bounds?

Answer: There has been no accurate survey of the state of Vermont, but we conceive it to contain about five million acres.

Query 7th: What applications have been made, either publicly or privately, by the enemies of the United States, or their adherents, to draw off the people of Vermont from their affection to the United States of America?

Answer: The honorable committee are possessed of copies of Beverly Robinson's letters, enclosed in B. General Allen's letter of the 9th of March last, to the then President of Congress; and any private offers we cannot avouch for.

Query 8th: In case the enemy should attempt an invasion of the northern frontiers, what aid, as to men and provisions, could be raised in the State of Vermont, for the public defence, (you can suppose the invasion made in different quarters) and within what time?

Answer: The number of militia, within the lines herein limited, we suppose to consist of about seven thousand, in general well armed and accoutred, and have ever shown themselves spirited in case of alarms, &c. In regard to provisions, the country is fertile but new and considerable emigrations from other states to Vermont. — The Legislature, at their session, in October last, levied a tax on the in-

habitants for provisions sufficient for victualling one thousand five hundred troops in the field for twelve months; and we are of the opinion a larger store may be, in the same manner, collected, the ensuing autumn.²

A Committee of Congress was appointed to meet and agree with the Agents of Vermont, respecting lines and boundaries; they accordingly met. The eastern boundary line [Connecticut River] proposed by the Committee of Congress was not disputed, but the western boundary afforded a tedious dispute. Mr. James Duane, and Colonel Allen, managed the controversy, both being greatly interested in the lands liable to be affected by the boundary line. Different proposals had been made, without producing any effect, and the Committee often adjourned for deliberation, and went out of the Committee-room into Congress. At length Colonel Allen drew an abstruse line that would answer Vermont; gave it to the late Roger Sherman, Esq. member for Connecticut, just as Congress were impatient to adjourn, praying him to redraft it, and propose it as his own, which he complied with, and laid it before Congress, which was immediately received and passed into a resolve, and Congress adjourned, before Mr. Duane properly understood the motion, or rather, the operation of such proposed line, which added to Vermont beyond the original claim of New Hampshire, (which was a line from the north-west corner of Massachusetts north, ten degrees east, on the west line of the towns of Pownal, Bennington, Shaftsbury, &c) the towns of Fairhaven, Benson, South Hero, North Hero and Isle of Mott, and several other Islands, and put out of dispute Alburg and some other lands, as also the navigation of Lake Champlain.²

France was watching the Vermont controversy and La Luzerne, French Minister to the United States, wrote to Comte de Vergennes, August 20, 1781:

The intercepted letters from Lord Germain to Mr. Clinton have revealed the dangerous situation in the affairs of Vermont. Congress has passed the following resolution. . . . The deputies of Vermont arrived before their State received the news of the decision of Congress. They remained under cover in Philadelphia where they were not inactive. They have entered into communication with the Committee but, although Congress favors their admission, they are meeting with difficulties on the part of New York and of the Southern states. The latter assert that this will furnish a motive for similar pretensions that the accession of Vermont will destroy the balance between the North and the South and that this state makes extrav-

² *Papers of the Continental Congress*, No. 40, 2, folios 1 *et seq.*; also in *Vermont, Records of the Governor and Council* (Montpelier, 1873), vol. 2, p. 318; also *Canadian Archives*, Q-19, p. 100, and B-175, p. 111.

² Allen's *History of Vermont* (London, 1798), p. 182.

agant claims in regard to boundaries. If Vermont is admitted and its limits fixed with mutual guarantee of territory, our recognition of this State will have inconvenience for us, if the recognition of its boundaries is inferred therefrom. Situated on the frontiers of Canada, Vermont has unreasonable claims on its extent and it may be that at the peace it will be necessary to leave a part of it to England. In case of notification of admission of Vermont, I will reply simply that I will report it to the King.¹

Congress required that Vermont dissolve her unions before it would recognize her independence. To this the agents would not agree. They probably were advised by their friends in Congress that favorable action was doubtful, even if they did consent to dissolve the unions. The agents returned home doubtless feeling fairly well satisfied. Allen must have now realized that he had made a master stroke when he formed the two unions. He had Congress, New Hampshire, and New York begging Vermont to give up all claims on the new territory, which he had no idea of doing, as will be seen. Samuel Livermore, now New Hampshire's only delegate, General Sullivan having gone home, wrote President Weare:

Every reasonable argument was used to have the territory annexed to New Hampshire but in vain. An act of Massachusetts to relinquish their right and make a new state led the way. . . . Congress also had good information that the body of the people in New York were willing to do the same; their house of representatives voted for it. The fear of Vermont joining the British . . . and also the fear of a civil war in case of attempting to reduce them to New York or New Hampshire by force had doubtless some weight. . . . The point now to be followed by New Hampshire is to get the grants east of the river well established under their government. This point I hope and expect will not be opposed by those amongst ourselves that did not wish New Hampshire to extend west of the river. If this were gained and the county of Grafton made active, New Hampshire might be a happy state.²

Weare replied, September 4, 'Glad that the matter is to be settled in a short time.'³ Such is the situation regarding 'hard money,' he states, that he does not know when there will be enough to send a second delegate to Congress.

On August 26, General Enos wrote Washington that he was

¹ *Affaires Etrangères, Correspondance Politique Etats Unis*, Dispatch No. 169, vol. 18, pp. 11, 15.

² *Letters and Papers, 1780-1824*, Massachusetts Historical Society, 013-24, p. 47.

³ *Ibid.*, p. 89.

in command of all the Vermont troops and would obey his orders.¹ Enos was a man of little character, and, after this date, solicited a command under Haldimand. He became Ira Allen's father-in-law and cost him endless trouble and expense.

General Stark, who was in command at Albany, was expecting the British to come from Canada and attack that place.² The rumor was being circulated that Congress had admitted Vermont and, on August 27, Stark wrote Governor Chittenden a letter of congratulation, declaring that nothing had given him so much pleasure and (he stated) that the people of Albany were also pleased.³

New York now wanted to open negotiations with Haldimand for an exchange of prisoners. Governor Clinton had previously attempted this, but had been refused. The New York troops were in a deplorable condition, without a supply of food or ammunition.⁴

Ira Allen on his arrival home found a cordial letter from Sherwood dated August 21, and sent by Major Fay. It acknowledged his letter and Pope's 'Essay on Man.' 'I find Fay the gentleman you represented him to be. My friendship for you and him remains inviolate. . . . My regards to Governor Chittenden, my friend General Allen, Mrs. Allen and daughter, Sincerely your personal friend &c. Justus Sherwood.'⁵ Sherwood had learned to appreciate the ability of this young man. Governor Chittenden, on September 2, commissioned Ira Allen and Joseph Fay to go to Canada to negotiate further the exchange of prisoners and such other business as might seem advisable. They started at once for Skenesborough to fulfill Fay's agreement to meet the British Commissioners there on September 5. They waited there for four days and then returned home.

On August 23, Haldimand received a letter from Lord Germain, written April 12, from which the following is quoted:

All late accounts from New York give the strongest reasons to expect Ethan Allen and the people of Vermont are taking their measures very judiciously for a general declaration in our favor as

¹ Vermont Historical Society, *Collections*, vol. 2, p. 168.

² Caleb Stark, *Memoir*, p. 225.

³ Vermont Historical Society, vol. 2, p. 169.

⁴ Caleb Stark, *Memoirs and Official Correspondence of John Stark* (Concord, 1860), p. 231.

⁵ *Ethan Allen Papers*, No. 357, Office of Secretary of State of Vermont.

soon as the season will permit you to send a body of troops amongst them, and, as it is not in the power of the Congress to send any of their continental troops against them, and the militia have lately shown great backwardness in answering their calls, I am not without hopes that our numerous friends about Albany will find means of connecting themselves with the Vermont People, and that the whole of that District will return to the King's obedience, which must have the greatest effect in extinguishing the rebellion.¹

Early in September, Haldimand was preparing to move a large body of troops to Crown Point and gave orders for General Powell to attack along the Mohawk River and frontiers of Pennsylvania. He was disappointed at not hearing from Sir Henry Clinton, and, not being supplied with provisions, he wrote, 'I must relinquish the hope of undertaking any movement of consequence.'² Smith wrote in his diary on September 6:

What might not be expected if there were movements now for Canada? I doubt whether Haldimand has not been directed [as he had] from home to restrain himself, not foreseeing this crisis. Yet the apprehension of a French Fleet and the menace against this place ought to have been a motive to the greater activity on the frontiers. In any condition why should that force have idled all summer. They might have been useful to our troops in the south.³

On September 11, from Ticonderoga, Sherwood and Smyth wrote Major Fay that they had arrived there with prisoners for exchange. They excused their delay by stating, 'The trouble of collecting the prisoners from different parts of the Province and contrary winds. . . . We candidly acquaint you that it is our wish that *yourself* may come to receive the prisoners as we should be happy once more, though but for a short time, to enjoy your Company.'⁴ Sherwood and Smyth feared to go to Skenesborough; they had been informed that Allen and Fay were waiting for them and that a house had been prepared for them at Pawlet, about thirty miles in the interior. After Sherwood's experience in Vermont in October, 1780, he was not willing to take the risk.⁵

On September 13, Haldimand wrote Sir Henry Clinton:

Vermont Assembly is to meet the 1st October. I shall send a large detachment about that time to take Post, and remain while the

¹ *Canadian Archives*, B-44, p. 75.

² *Ibid.*, B-104, p. 264.

³ *Smith Diary*, vol. 7, New York Public Library.

⁴ *Canadian Archives*, B-175, p. 133.

⁵ *Ibid.*, B-176, p. 278.

season will permit, at Crown Point. I have hopes . . . that this step will produce a favorable decision in the affair of Vermont.¹

Joseph Fay on the same day wrote Sherwood and Smyth from Bennington that Colonel Allen and he had waited for them and then returned home:

I find it indispensably necessary that you proceed to the place mutually agreed on for settling (not only the accounts) but the exchange of a number of others (who are with me) as we agreed in August last . . . you shall not be detained more than twenty-four hours unless you choose. To remove all apprehensions of any insults, which your passage may tender you liable to, you may depend and rest assured none will be offered, as our troops will have positive orders against it and are planted in such a manner as to prevent any from other states.²

Sherwood and Smyth had both been warned by Haldimand that they need not risk their lives as André had done. Sherwood was suspicious and wrote Mathews he would take precautions against a surprise. He sent a flag with a letter to Skenesborough, and Colonel Walbridge, who was in command there, wrote him September 14, that the letter had been forwarded and that Major Fay was expected the next day.³ Two days after, Sherwood wrote Mathews enclosing Walbridge's letter, adding:

On the 14th, finding that the Vermont scouts were sculking round us and choosing rather to speak with their commissioners on York ground than to give them occasion to boast of our coming to their State, we removed to this place [Ticonderoga].

The letter from Walbridge was brought by a flag under a Captain Cook, and Sherwood wrote:

We have endeavoured to sound Mr. Cook, but he appears totally ignorant of any intention or even inclination in the people of Vt. for a reunion. He says their enemies in the other States have rumor'd it, but the people of Vermont have not the least suspicion that their leaders have any such design. Upon the whole, I fear the leading men are deceitful and the populace as ignorant of our negociation as at the beginning, and I hope his Excellency may not, from any expectations of our success, be prevented from making preparation to chastise them, if they prove to be equivocating, faithless yankee scoundrels, which their present suspicious conduct forebodes.⁴

¹ *Canadian Archives*, B-147, p. 341.

² *Ibid.*, B-175, p. 134.

³ *Ibid.*, B-176, p. 282.

⁴ *Ibid.*, B-176, p. 280.

The next morning they received the following letter which reassured them. They sent the letter to Haldimand and at once set off for Skenesborough:¹

(*Private*).

SKENESBOROUGH, *Sept. 16th 1781*

GENTLEMEN:—

We have to inform you we are at this place waiting your arrival and are furnished with instructions from the Govr. in writing to negotiate business with you relative to a change of government and are possessed of every paper respecting the proceedings of Congress with the Agents of Vermont etc.

We have made every preparation for your reception that the situation of the place will admit and expect an agreeable interview with you as soon as may be, as it will be of more consequence than can be expressed in this paper.²

We are, gentlemen,
with sentiments of esteem,
Your humble servants,

IRA ALLEN,
JOS. FAY.

To:

Geo. Smith &
Justice Sherwood, Esq^{rs}.

Dr. Smyth's wife had remained in Albany and had been acting for the British in forwarding letters to and from New York. Being advised that she was in danger of arrest, she had fled to Bennington and taken refuge with Major Fay. Fay had refused to surrender her to the Albany authorities and, when Colonel Allen and he started for Skenesborough, she accompanied them, which occasioned deep gratitude on the part of Dr. Smyth and he wrote Haldimand of it.³

On September 24, Haldimand sent a cipher dispatch to Clinton stating that his agents were then in conference with Ira Allen and Major Fay at Skenesborough and quoted Ira Allen's letter of the 16th:

They press a meeting and say it will be of more consequence than can be expressed in their letter. It appears certain that a resolve has passed in Congress admitting Vermont a separate State, provided they relinquish the New Territories. This is in agitation, and I foresee that our success with them (if they are inclined to join us)

¹ *Canadian Archives*, B-176, p. 283.

² *Ibid.*, B-175, p. 136; also Wilbur Photostats, University of Vermont.

³ *Canadian Archives*, B-176, p. 289.

will turn upon our confirming to them those territories. I have hitherto declined entering into that matter, but I am convinced it will now be pressed to me, and altho' I am clear in the propriety of granting it (considering it a favorable and a dangerous crisis) I wish to avoid taking entirely upon myself a step of such importance, and I request your concurrence or advice as a Commissioner informed of the intentions of Government on those weighty matters. Your Excellency will see the necessity for the utmost dispatch in communicating your sentiments to me (with a duplicate) rendered still more so, by the delicacy that must be observed by the troops upon the frontier of Vermont, while there is any hope of gaining her. Those upon the Mohawk River etc., have orders to ravage the Country. Considering the uniformity of Ira Allen's conduct, he must be the most accomplished villian living, if he means to deceive us.¹

Allen and Fay gave to Sherwood and Smyth a copy of the questions and answers that had passed between the agents of Vermont and the committee of Congress on August 18; also a copy of Weare's letter to Washington of August 13, which Allen had obtained in Philadelphia. With these papers 'the Commissioners from Canada were well pleased and laughed heartily with the agents from Vermont, who had double the reason to be pleased.'²

On September 20, Mathews wrote a confidential letter to Sherwood disclosing to him Haldimand's determination to send a strong force to Crown Point on October 1.³ After talking with Ira Allen, the British Commissioners urged that it be delayed until the 12th,⁴ about the time the Vermont Legislature was to meet. Ira Allen, in his 'History of Vermont,' written from memory in London in 1798, stated, 'The plan of Government for the Colony of Vermont was taken into consideration . . . similar to the colony of Connecticut.'

The British Commissioners proposed sending scouts into Vermont and making prisoners of Bayley and several others that were opposed to the British negotiations. Allen and Fay objected to this.

The British commissioners insisted that Vermont should declare itself a British colony . . . proposing an expedition against Albany . . . that the Commander-in-Chief was determined not to lose the campaign inactively; that something effectual must be determined on before they parted, or the armistice must cease.

¹ *Canadian Archives*, B-147, p. 342.

² Allen's *History of Vermont* (London, 1798), p. 184.

³ *Canadian Archives*, B-179, p. 125.

⁴ *Ibid.*, B-176, p. 129.

The Vermont agents made many objections to this.

The British Commissioners took down in writing the heads of those objections, for the information of the Commander in Chief.

Allen's account further states:

They then suggested an instruction, which they said they were not at liberty to deviate from, without putting an end to the Armistice, which was, that his Excellency General Haldimand should, in pursuance of full powers vested in him, . . . issue his proclamation, offering to confirm Vermont as a colony under the crown; . . . that an army should come up the lake in October, with said proclamations, during the session of the Legislature, and distribute them, when the Legislature must accept the same, and with the British take measures for their common defence, &c.

The agents from Vermont were unpleasantly situated on these proposals; they reinforced the preceding arguments, with these remarks, that the season was too far advanced for such important operations, considering the climate, badness of roads, . . . that the Commander-in-Chief, on full consideration of these matters, might be of a different opinion; but should he not, they hoped the General, who brought forward such proclamations, would learn the temper and disposition of the people before he distributed them; on these principles they consented to have the proclamations brought up the lake, rather than break the armistice.¹

The records do not coincide with the statement that General Haldimand proposed the proclamation. Allen may have apprehended that it would not be understood in Vermont if he wrote at that time, when he had political enemies, that he had proposed the sending of the proclamation, even though as a last resort. It must also be remembered that he seldom took the credit due him in his record of past events. When he learned that Haldimand had positively determined to send an army to Crown Point, Allen naturally thought it would not stop there, and realized that further delay was impossible. The utmost he could do was to postpone immediate action, hoping that he might hear that Cornwallis had been defeated.

On September 20, Allen and Fay, the Vermont Commissioners, submitted the following proposal, which they signed:

That in our opinions the first proceedings of the new Legislature of Vermont will be to form into a committee of the whole to hear the report of their agents from Congress, and then to take into consideration the proposals from Congress, when we have every reason to expect them to be rejected, when the Legislature will proceed to business. As the members are from all parts of the state and many of

¹ Allen's *History of Vermont* (London, 1798), p. 189.

them strangers to each other, it will not be amiss for them to be a few days together before a public litigation of a change of government, and in order to that we would propose whether a Proclamation for [from] His Excellency General Haldimand, to be then exhibited to the Legislature, might not answer a valuable purpose, as it would lay a foundation for them to proceed upon. Such proclamation to contain the terms the Court of Great Britain have authorized His Excellency to give Vermont, which we could wish (as citizens of Vermont are principally emigrants from the New England governments) that their privileges might be as near those they have been accustomed to as may be. That there should be no undue advantage taken by such proclamation, we propose that it be lodged with the general commissioners on the Lake; that as soon as the Legislature have rejected the offers of Congress, that a confidential person be forwarded to said Commissioners with that information, when a flag should be sent to Castleton with such proclamation sealed and directed to the Legislature, when General Enos will forward them unopened by express to the Legislature.¹

The acceptance of this proposal would entail perhaps a month's delay and would leave the matter entirely in Allen's hands, even the date when the proclamation should be sent to the Legislature from Crown Point. The British Commissioners desired written replies of Allen and Fay to objections that arose in their minds as to the issuance of a proclamation which they could exhibit to Haldimand, so they wrote the following questions which Allen and Fay answered and signed. There would have been no necessity to ask these questions if the Commissioners had proposed the proclamation for Haldimand. Allen's proposal that the proclamation be sealed to insure its secrecy until it reached the speaker's hands, in the presence of the Assembly, would relieve him and all others, who had been cognizant of his negotiations, of responsibility from this last action of the British. While he had outlined to Haldimand what he considered to be the most favorable argument to use in wording the proclamation, he could truthfully declare to the Legislature that he had never seen or heard it read before.

1st — Do those proposals fully coincide with the opinions of the Government and council, or such part of them as wish for a British Government?

1st — Answered in the affirmative.

¹ *Canadian Archives*, Q-19, p. 107; also B-175, p. 137, and Vermont Historical Society, *Collections*, vol. 2, p. 174.

- 2nd — What effect or particular advantage will such a Proclamation have in the Assembly?
- 2nd — It will lay a foundation for the friends to government to enter fully on the business authoritatively, and facilitate a close of the subject, as it will contain the general proposals.
- 3rd — Will it not tend to enrage them and effectually put an end [to] further negotiation?
- 3rd — It cannot alarm the Legislature so much as to have the subject proposed to them by the governor and council, as Congress and the world will be at a loss to judge what occasioned such proclamation, as all former private negotiation on the subject will still remain in oblivion.
- 4th — Will it not alarm Congress and gain from them a pretended compliance with all the demands of V——t?
- 4th — The Articles of Confederation virtually precludes a compliance, nor can it alarm Congress or the other states more than to have the matter litigated at large in the Assembly, as they are possessed of Lord George Germain's letter to Sir Henry Clinton.
- 5th — Shall you make the proclamation public or not?
- 5th — It will be conveyed immediately on reception to the Speaker, and opened in presence of the Assembly.
- 6th — Do you candidly believe it probable that the Assembly and populace in general will close with the proclamation, provided it gives them Charter privileges similar to those of Connecticut, or nearly the same?
- 6th — Our new election warrants the highest probability.
- 7th — If the Proclamation should be rejected will there be a probability or even a possibility of a reunion after such a rejection?
- 7th — Even should the proposition be rejected, still we are confident it would not affect those who are now in favor of Government, but add to the numbers who would still pursue the grand object.¹

¹ Vermont Historical Society, *Collections*, vol. 2, p. 175.

Soon after these papers had been signed, on September 20, Allen and Fay departed for home. Sherwood believed that the importance of this last proposition of Allen's could best be imparted to Haldimand verbally, so he started at once for Quebec. Smyth, in going ashore at Skenesborough, where he met his wife, had severely injured his leg and had remained at St. John's, from which place he wrote Mathews on September 25:

Captain Sherwood has shewed me your favor to him of the 20th inst. [telling him of the plan to send a large force to Crown Point October 1]. I am conscious his Excellency's plan will have some weight with the Vermonters and *should he agree to send in his proclamation* in such language as Captain Sherwood *has instructions* for from Messrs. Allen and Fay, and at the same time and not before it (i.e.) about the 11th or 12th of October to send a strong detachment to Crown Point, then would they look upon it as their ne plus ultra, and be intimidated into a compliance. If the troops arrive there before that time, it will alarm the Country in general and perhaps wipe off our expectations, resulting from the proclamation.¹

Mathews received this letter on September 28.

On September 27, Haldimand wrote Clinton and enclosed the first letter written August 2, which he had been unable to send before:

The very strong assurances of sincerity, made by Colonel Allen and Major Fay in behalf of the Governor and Council, and the obvious difficulties they represent in the way of a sudden revolution where the prejudice of a people is so violent, demand some credit and attention; yet there is something in their whole conduct so obscure and mysterious and so very corespondent with opinions of approved loyalists who live among them, that sanguine as I am for the success of this business, I cannot help entertaining very unfavorable suspicions of it.

He wrote that, at the request of Loyalists, he was determined to show a strong force upon the frontier about October 1:

Circumstanced as I am, my offensive views from this province are confined alone to that object. If it should not produce the effect hoped for with the people of Vermont, it cannot fail to alarm and distress the enemy by ravaging the frontiers, and diminishing their supplies.

Governor Robertson, British Governor of New York, read this letter.² Haldimand had a high opinion of General Robert-

¹ *Canadian Archives*, B-176, p. 291.

² *Ibid.*, B-147, p. 371.

son as did William Smith and regarded him as superior in every way to Sir Henry Clinton. On September 30, Haldimand wrote the following letter to General Robertson, paying a high compliment to Vermont by declaring that their 'friendship is essentially necessary.'

I cannot wonder at your anxiety, respecting the termination of Vermont affairs. My ideas and expectations on the important subject, as well as the transactions I have had with that People are by this opportunity fully communicated to his Excell'y, Sir Henry Clinton and I have requested him to impart the whole to you. From those papers you will be able to form some (I wish I could say certain) judgement of the issue the affair will have, and if time or opportunity could serve, it would afford me infinite satisfaction, to receive your opinion and friendly advice. I have hitherto acted entirely for myself upon very general directions from home. I have carefully avoided desolating their country that the populace might not be exasperated and to keep open a door for reconciliation, but the affair is now come to a crisis, and they must in a short time declare for the Mother Country or Congress. The latter has of late yielded much to them and only contend for their relinquishing their late acquired territory, to declare them a separate State. Tho' I have always suspected their sincerity, yet, from late discoveries, it would appear that the Governor and Council are really inclined to accomodate with Government, and I every day expect, they will propose it upon condition that those acquisitions are confirmed to them. This has been already suggested by them as a consiliatory preparation to reunion, but I have always declined giving them hopes of its taking place. I have by a letter thro' the woods, expressed to Sir H. Clinton, my diffidence on this head, and requested his concurrence as a commissioner to grant their demands, if it should appear necessary. Circumstances may require it, and if I should not be fortunate enough to hear from Sir Henry, before I am obliged to decide, I am so convinced that the friendship of Vermont is essentially necessary to the success of this war, and particularly so to all measures, offensive or defensive that relate to this Province, that I shall be obliged to take upon myself the weighty determination. Should it so happen, it will be no small consolation to me that I am so fortunate as to have you of my opinion in the expediency of it. My agents are now in conference with Ira Allen and Major Fay on this business and I detain the frigate day after day, in hope of being able to communicate to you and Sir Henry, the result, that all quarters may have the earliest instructions how to act.¹

Haldimand did not have to detain the frigate long, as the report he was awaiting soon arrived. It was made by Sherwood and Smyth and accompanied by the following letter to

¹ *Canadian Archives*, B-147, p. 366.

Mathews, dated Quebec, September 30, and signed 'A.' This was Sherwood's conversation with Mathews and Haldimand in Quebec which indicates how important Haldimand considered having a record of these negotiations:

SIR:— In behalf of B... [Geo. Smyth] and myself, [Capt. J. Sherwood] I transmit to you (for His Excellency's information) our proceedings with the Vermont Commissioners. Although the different pages marked from No. I to No. II contain the essential part of our negociation, I beg leave to trouble you with a few remarks of my own, founded on the closest observation and scrutiny that I was able to make on the words and actions of Messrs. Allen and Fay, while I was with them, Viz. I am fully of the opinion that Messrs. Chittenden, Allen and Fay, with a number of the leading men of Vermont, are making every exertion in their power to endeavor to bring about a re-union with government, and that at least one third part of the populace sincerely wished for such a change. But I find that Congress are much alarmed, and have lately at great expense employed a number of emissaries in Vermont to counteract under hand whatever is doing for government. The principal of those are General Bailey, Colonels Chas. Johnson, Moron (Morey?) Brewster and Major Childs, on Connecticut River.

This junto of which General Bailey is the soul are endeavoring to set the populace against their present leaders by insinuating to them that they are tories, and intend to sell Vermont, &c. I believe that Congress intend to bring the populace of Vermont to a general vote whether they will relinquish their present claims or not, at which time they hope by the influence of Bailey's party to turn out the present leaders and at least have their own creatures appointed *whom* they will endeavor to support, by establishing a considerable force somewhere on the frontiers of Vermont next spring. Messrs. Allen and Fay very sincerely acknowledge to me their embarrassment and their fears that the populace could not be easily gained and in a very sensible manner pointed out the difficulties and dangers attending such an attempt while the rebellious part of the populace, however few, had reason to expect so much more assistance from the southward than the friends to government could at present expect from the northward. They observed that so long as these motives emboldened the former and depressed the latter, there would be but little hopes of success; they however requested (as the last resource) that General Haldimand would issue a Proclamation, pointing out in a very particular manner the privileges he was authorized to grant Vermont, mentioning their extent of territory, the security of their title of lands and charter privileges as near to the former charter of Connecticut as possible; the protection they might expect against their southern neighbors and the advantage of a (free) trade with Canada, &c., to conclude with placing to their view in soft but spirited terms the evil consequences and misery which must

necessarily follow the refusal of such equitable and humane offers. This Proclamation they hoped would be acceptable to so large a part of the people, that by the ensuing spring with the assistance and protection of General Haldimand, they could effectually establish a British Government. But if this failed, they knew of no other method at present.¹

Haldimand hastened, October 1, to communicate this intelligence to Clinton. Once more he was obliged to change his opinion of Ira Allen. In the following letter he writes of Allen's proposal, Haldimand's proclamation, 'as a last resort.' This was the most astute and far-reaching move made by Allen, during these negotiations:

SIR: — The intelligence, for which I have some days detained the Frigate, is at length arrived. My agents are returned from their conference with Ira Allen and Major Fay, and I herewith enclose a continuation of their proceedings from No. 22 to 33. These, and conversations (*I am forbid to commit to paper*) which passed between those gentlemen, have almost, if not entirely, removed my suspicions of Allen's party; but I see, with much concern, that the wished for revolution very little depends upon their interest, at least as things are at present circumstanced. The prejudice of a great majority of the populace, and the prevailing influence of Congress, are too powerful to admit of a chance, (within any given time from one to three years) by negotiation. The leading men in our interest advise, as a last resource, my issuing a Proclamation, confirming to Vermont the late assumed territory and other privileges, (contained in a letter marked A,) thinking that from the late refusal of these by Congress, the people may be inclined to accept of terms from Government.

This Proclamation they desire may be followed by a force equal to support the friends of Government, who wait for an opportunity to declare themselves, and to awe those in opposition. In so critical a juncture, I most sensibly feel the want of particular instructions, fearing, on one side, to let an opportunity escape which may never be recalled, and on the other, taking upon myself a decision of such importance. A firm disinterested Zeal for the King's Service which has hitherto, will, in this instance, guide my conduct, and in acting for the best I shall hazard the consequences with the generosity of my Royal Master. How far encroachments by Vermont on New York and New Hampshire may affect future politicks, I know not. At present, I conceive them indiscriminately engaged in rebellion, and if by sacrificing a part of one to the interest of the other a re-union of the most valuable with the Mother Country can be effected, I think it my duty to make the attempt. In this faith I shall issue the Procla-

¹ *Canadian Archives*, B-175, p. 141; also Q-19, p. 112; also Vermont Historical Society, *Collections*, vol. 2, p. 178.

mation, worded with as much caution as is consistent with my hopes of its success. It is to precede the detachment, and as the preparations to receive it cannot be made before the 12th or 14th instant, to which time the meeting of their Assembly is put off, the troops will necessarily not move so soon as mentioned in my other letters to your Excellency.

Reports brought by my agents from good authority, respecting the enemy having laid aside their intention against New York, makes this delay less painful to me.

Your Excellency will not understand that any offensive measures against Vermont are to be undertaken by the detachment from Crown Point. On the contrary, every appearance of hostility will be carefully avoided, while parties will be sent to distress the other frontiers. It is hoped this conduct will convince the people of Vermont that it is the intention of Government to protect them and facilitate the endeavors of the leading men in our favor to gain the populace in the course of the winter to make preparations for a more effectual essay in the spring, which, if mutually carried on, I should hope might prove successful.¹

Haldimand's doubts of Sir Henry's secretiveness induced him to write the following on October 2, before sending forward the previous letter.

The transaction, of which the particulars are here enclosed, was undertaken and is carrying on upon a solemn and mutual promise of secrecy, for the performance of which, as well on my own part as in behalf of the agent I employ, I have pledged my honor.

The service we are mutually interested for requires I should impart this matter to your Excellency, and I do it in perfect confidence that you will not entrust it to the knowledge of any other person, except General Robertson, to whom I have in another letter signified my wishes it should be communicated.²

Haldimand's command was confined to Canada, which explains his consciousness of the delicacy in issuing a 'proclamation' to people residing outside of his jurisdiction and in one covered by the command of Sir Henry Clinton. In his letter to Sir Henry of October 3, he wrote:

I have the honor to enclose to Your Excellency a sketch of the Proclamation mentioned to you. I persuade myself Your Excellency will have that indulgence for me in regard to it which the necessity of the measure will dictate, and that you will do me the justice to believe no other motive could have induced me in the smallest degree

¹ *Canadian Archives*, B-147, p. 374; also Vermont Historical Society, *Collections*, vol. 2, p. 179.

² *Ibid.*, p. 378; also *ibid.*, p. 180.

to trespass upon the limits of your command, a necessity to which my local situation has reduced me.

With respect to the thing itself, many happy, no evil (that I can foresee) consequences can result from it. Should it have the desired effect, I need not point the advantages, If it fails, the boundries of the Provinces remain as before, and the mysteries of Vermont will be seen through.²

A Proclamation to the principal men and inhabitants of the District of Country called Vermont.

Whereas His Majesty, persevering in his humane endeavours to prevent the calamities of war, hath been graciously pleased to grant unto me in general terms permission to treat with and to propose to His subjects in the district of country called Vermont such terms for accommodation as might appear to me best calculated to recall them to their allegiance and to rescue them from the oppression of their interested deluders, by reuniting them upon a respectable and permanent footing with the Mother Country. Happy in the prospect of being instrumental to so desirable an event, I embrace this mode, as the most public of declaring to the people of Vermont that upon their cordially and effectually reuniting themselves as a government under the Crown of Great Britain, they shall be considered by the same a separte province, independent of and unconnected with every government in America, and will be entitled to and shall enjoy every prerogative and immunity promised to the other provinces in the proclamation of the King's Commissioners, comprehending charter rights as formerly enjoyed by the province of Connecticut, the right of appointing a governor excepted, which must rest in the Crown.

In order the more effectually to remove every jealousy on the part of the people of Vermont (industriously infused by designing men into the minds of the ignorant) of Great Britain's wishing to deprive them of their liberty and to curtail their interest by limiting their possessions, and in order to remove the injuries said to have been exercised against them by the New York Government in obtaining grants of land which had in consequence of grants from New Hampshire been cultivated by the labour and industry of the inhabitants of the Green Mountains, I hereby further promise that until such time as His Majesty's pleasure shall be signified to me or that I shall have authority from one of the King's Commissioners (for which I have already made application) to confirm to the said people of Vermont their late acquisition of territory together with their landed property as granted under New Hampshire vizt: From the north line of Massachusetts north to the south line of Canada and from the Hudson's River east to the Mason line, I shall consider the same to all intents and purposes belonging to the Province of Vermont, and I shall afford to them the same protection, privileges and immunities herein promised to the inhabitants of the original district.

² *Canadian Archives*, p. 378; also *ibid.*, p. 180.

A free trade with Canada will like wise be granted and encouraged, and, the more effectually to protect the said people of Vermont in their possessions, a co-operative force sufficient for that purpose will at all times be provided by the Crown, and the Vermont troops shall have every present and future advantage in common with the provincials now serving with the King's Army.

Thus, it is supposed, terms so evidently humane and generous will not leave a doubt remaining with the people of Vermont of the sincere and friendly intentions of Great Britain, and dispose them, tho' late, to give a virtuous example to their countrymen by acknowledging tho' late, their error, and putting a stop to a ruinous and unnatural war, destructive to the harmony and mutual affection which, until its fatal commencement, constituted the happiness and strength of both countries, and successfully defended their religion and laws against the baneful influence of despotism.

But on the other hand if unhappily they reject this critical overture and persist in the unreal and destructive pursuit they are engaged in, to themselves alone must be attributed the melancholy consequences which must necessarily follow.

FREDERICK HALDIMAND.¹

QUEBEC, *October 5, 1781.*

Early in October the British commanders in the United States and Haldimand in Canada were exceedingly anxious. Smith wrote in his diary, Tuesday, October 2, that Clinton called at his house and one of Clinton's staff officers told him the Commander wished to see him out on the grounds. Smith went out and found him much disturbed. Notwithstanding the great question of his going to Cornwallis's assistance as soon as possible, 'he began,' Smith wrote, 'on the subject of Vermont and the prospect of stimulating those people to decide. He said Haldimand thought they would be formidable very soon, said they would not wish for more than to be a separate government which put every thing into their power and that he thought they might lose their hopes by a crisis in our favor. If they thought so might they not come out for us. I replied that the whole conts [controversy?] now balancing; that the Rebellion would be at an end if we succeeded in the south, and the business very uphill if we did not. It was not now therefore the moment to expect the loyalists to rise and much less for others to declare themselves and that Vermont had many Whiggs in it and our friends there had a taste of address. Some operations near at hand might take off their attentions to [from] the southern object. He said there would

¹ *Canadian Archives*, Q-19, pp. 54, 57; also *ibid.*, B-179, pp. 135-38.

be operations by Haldimand.' ¹ They walked through the grounds for two hours and Smith wrote at the end of that day's entries: 'The longest freest and most confidential talk I ever had with him.' William Smith disclosed in this entry his shrewd observation of events; he was one of a very few men on the American continent who displayed such keen insight and accurate judgment of this situation. Ira Allen in the following pages proves himself as masterful in his analysis of these events.

On the day of this interview Clinton wrote Haldimand he agreed with him 'that Vermont should declare immediately. . . . Lord Cornwallis's situation is becoming alarming which is rendered still more so by the necessary delays of refitting our fleet. . . . All agree that the only way to succor his Lordship is by going to Chesapeake. I expect to sail about the 12th.' ² He also suggested Haldimand's troops moving south would help. Haldimand did not receive this letter until after he had moved his army south.

Smyth's son was in jail in Albany and Smyth induced Sherwood to agree with Major Fay that, if he would have his son released and sent to Canada, they would exchange for him a New York officer who was a prisoner in Canada. General Haldimand did not approve, as he had refused such exchanges with both Washington and Governor Clinton of New York. Mathews wrote Sherwood and Smyth, on October 3, that the General gave 'his perfect approbation of your whole proceedings in the secret negotiation . . . but is much surprised to find that you have undertaken to exchange prisoners belonging to the state of New York. . . . You will immediately take an opportunity to acquaint Messrs. Allen and Fay not to apply to have Mr. Smyth sent in.' ³ By the same mail he wrote a letter, marked private, to Dr. Smyth. In it he promised Smyth the appointment of surgeon at ten shillings a day which would entitle him to half pay when the war was over. He then takes the liberty to tell him that the General is much displeased that he and Sherwood should have agreed to exchange a New York prisoner. He concluded his letter with

¹ *Smith's Diary*, vol. 7, New York Public Library.

² Sparks MSS., vol. 45, part 11, p. 95, Harvard Library; also Vermont Historical Society, *Collections*, vol. 2, p. 182.

³ *Canadian Archives*, B-179, p. 129.

'I could have wished, if this oversight was to be made, that it were not in favour of any connection of the commissioners.'¹ Before Smyth received this, he wrote, in a letter to Mathews dated October 4:

Captain Brunson with other prisoners, sets off from here tomorrow. . . . I have now no hopes of obtaining my son out of prison. Poor youth, he must suffer and put up with the insolence and cruelty of the Albany tyrants. Brownson, like the rest of his deceitful countrymen, promises to send him in, so did Major Fay pledge his honor, that he'd go in person to Albany and have him out, and used but trifling endeavors to have the boy released. I hope all their pledged faith and honors are not composed of the like materials; fifteen days from hence will satisfy many doubts and I fear fifteen years will not bring over a headstrong and bigoted rabble, who the devil, nor their own leading men are not able to calm, perhaps there might be some virtue found in the intended movements and the General's proclamation, if he agrees to send one.²

When Smyth received Mathews's letter, he was prostrated. He answered it October 11; he offered to resign and acknowledged his error, concluding his letter with 'I hope you'll meet with no offence in this scribble dictated by an afflicted mind. Disease, famine and the horrors of a filthy gaol, may devour my son, ere I again apply for his enlargement.'³

Ira Allen wisely provided now as always for every contingency. He had knowledge before he met the British Commissioners that the French had arrived in great force and that a decisive battle would soon be fought. He did not mention these facts, but, when he found he must either decide or have the armistice broken, he decided to propose issuing a proclamation which would give him one month more; and, as it was not to be sent until he notified the Commissioners, he still had the alternative of writing that it should not be sent and break off further negotiations. If Washington was defeated, that would likely end the rebellion, he would have the news before the British in Canada, and the proclamation could be sent down to proclaim Vermont a separate colony. If Washington defeated Cornwallis, Allen would act as he ultimately did.

The proclamation was written and signed and given to

¹ *Canadian Archives*, B-179, p. 131.

² *Ibid.*, B-176, p. 297.

³ *Ibid.*, B-176, p. 309.

Sherwood sealed, to be forwarded as Ira Allen directed. Sherwood, on October 10, from St. John's wrote Mathews:

I have rec'd your favour of the 4th inst. enclosing the warrant and proclamation. . . . I intend to set out this evening for Crown Point and shall forward the proclamation as soon as Allen's messenger arrives. But I am fearful the unfavorable reports of Lord Cornwallis and our army to the south will be a great hindrance to our wishes.¹

Ira Allen's astuteness, nobility of character, and self-control in these trying conditions made it possible both for the British and for Vermont to leave such power in his hands. The British had paid him a very high tribute.

The preparations being made to move the British troops south were soon reported in the States. Washington was employed with his own and the French army at Yorktown. On October 6, he answered Enos's letter of August 26, which had followed him on his march. He wrote that he was glad that Vermont matters were about to be settled, 'Whereby the strength of a numerous body will be thrown into the general scale and the enemy disappointed in the hope which they entertained of separation of interests.'² Stark, at Albany, was becoming alarmed and was sending messengers to all the New England States requesting that troops be sent at once to Saratoga. He reported that the British had passed Lake George.³ He wrote on October 8, to General Heath, in command of the Northern Army, 'I have promises, in case of attack, that the Vermonters shall once more come to my assistance.'⁴

About this time a speck of war appeared in the west union. Stark made a request of Vermont for troops and General Safford had ordered a company raised in New City, now a part of Troy, which was in the New York territory annexed. When raised, they were to march to Albany. A body of troops, sent out by Stark, took those who responded to this order prisoners and treated them badly. Safford protested.⁵ Samuel Robin-

¹ *Canadian Archives*, B-176, p. 307.

² *Washington Papers*, Library of Congress.

³ *Clinton Papers*, No. 4060, New York State Library; also Vermont Historical Society, *Collections*, vol. 2, p. 183.

⁴ Caleb Stark, *Memoirs and Official Correspondence of John Stark* (Concord, 1860), p. 266.

⁵ *Ibid.*, p. 277.

son wrote Stark from Bennington, 'If your honor cannot find the militia of Albany some other employment, I shall march my regiment to that quarter, and try powder and ball with them, which I have as well as they.' ¹

While this angry aspect in the west union prevailed, insolence was threatened in the east union. The Vermont Assembly, evidently to please the members from east of the Connecticut River, had voted to meet in October at Charlestown on the river, which had been a fort and supply station for many years, called No. 4. A New Hampshire regiment of about two hundred men was sent there. Before the Assembly met, 'friends of Vermont advised the Major' in command that, if he had any instructions to prevent the Assembly meeting, he had better 'keep them to himself as his force would not avail, this he prudently did.' ²

Both the Council and Assembly, which was called the House met on Thursday, October 11, in Charlestown, now New Hampshire. It is the only time they ever met outside the present limits of Vermont. There were only five members of the Council present. They, together with a committee from the House, counted the votes cast at the annual election and declared the following elected to the several offices: Thomas Chittenden, Governor (no choice for Deputy Governor); Ira Allen, Treasurer and member of the Council; Joseph Fay, Secretary of the Council by its members, and Micah Townsend (who had given information to the British earlier in the year), Secretary of State by the House; Dr. Roswell Hopkins, Clerk, and Thomas Porter, from Tinmouth, Speaker of the House. Twelve Councilors were elected, six from west of the range. The only one elected to the Council from New Hampshire's annexed territory was Bezaleel Woodward from Dresden. Elisha Payne from eastern Vermont was chosen Deputy Governor by the House. The Secretary of the Council up to this period had acted as Secretary of State.

Isaac Tichenor and Samuel Safford were the members from Bennington, the former taking an active part in the proceedings. Eighty-two out of one hundred and thirty were new

¹ Caleb Stark, *Memoirs and Official Correspondence of John Stark* (Concord, 1860), p. 275.

² Allen's *History of Vermont* (London, 1798), p. 189.

members,¹ making it a difficult Assembly to manage. Troops were ready to march to the frontier, the Colonel reported, but supplies could not be purchased with Vermont money. The House voted that the Treasurer suspend paying out hard money, as it was needed to pay the expenses of agents going to Congress and for necessary supplies purchased outside the State. A Board of War of nine was appointed. Ira Allen and four staunch friends on the Board were in control. One member was Roger Enos, then in command of the Vermont militia, with headquarters at Castleton. It was about this time that Ira Allen became acquainted with Jerusha Enos, Jr., the daughter of General Enos, whom he married eight years after, in 1789. On October 16, Ira Allen, Jonas Fay, and Bezaleel Woodward made a verbal report to the Council and House as a grand committee of their mission to Congress in August and exhibited sundry papers including the resolutions of Congress of August 7, 8, and 20. The resolution demanding that Vermont dissolve her unions before Congress admit her as the fourteenth State, was considered and debated on the 17th, and it was,

Resolved, that in the opinion of this committee, the Legislature cannot comply with the resolutions last referred to, without destroying the Foundation of the present universal harmony and agreement that subsists in this state and a violation of solemn compact, entered into by articles of union and confederation.

They then 'adjourned to 9 o'clock tomorrow morning.'

October 18, 'The Committee having resumed the further consideration of the said reports':

Resolved, that inasmuch as the resolutions of Congress of the 7th and 20th of August last, did by no means comport with, but entirely preclude, any propositions made by our agents; it is therefore the opinion of this committee, that the propositions made by our agents to the committee of Congress, on the 18th of August last, ought not in future to be considered as binding on the part of Vermont.

Resolved, that it be and is hereby recommended to the Legislature of this state, that their thanks be returned to their honourable agents, for their good services in behalf of this state, on the business of their late mission to the Congress of the United States of America.

And this committee recommend to the Legislature of this state,

¹ *Stevens Papers*. Miscellaneous Revolutionary Papers, p. 67, New York State Library.

to remain firm in the principles on which the state of Vermont first assumed government; and to hold the articles of union, which connect each part of the state with the other, inviolate; and, for the further information and satisfaction of the honourable the Congress, and the world, do recommend to the Legislature to publish the following articles, which respect the admission of Vermont into the federal union, viz:

Article 1st That the independence of the state of Vermont be held sacred, and that no member of the Legislature shall give his vote, or otherwise use his endeavours to obtain any act or resolution of Assembly that shall endanger the existence, independence and well being of said state by referring its independency to the arbitrament of any power.

Article 2nd That whenever this state becomes united with the American States, and there shall then be any disputes between this and any of the United States, the Legislature of the State of Vermont will then (as they have ever proposed) submit to Congress, or such other tribunal as may be mutually agreed on, for the settlement of any such disputes.

And that the impartial world may be fully convinced of the good and laudable disposition of Vermont, and of her readiness to comply with any reasonable proposal for the adjustment of the disputes respecting boundary lines, between this and the neighbouring states of New Hampshire and New York; this committee further recommend to the Legislature, to make the following proposals to the said states of New Hampshire and New York respectively: that whereas, disputes have arisen between the states of New Hampshire and Vermont, relative to jurisdictional boundary lines, &c., the Legislature of Vermont, being willing and desirous, as much as in them lies, to promote unity and good accord between the two states, do propose to the state of New Hampshire, that all matters relating to the aforesaid dispute, shall be submitted to five or more judicious, unprejudiced persons who shall be mutually agreed on, elected and chosen by a committee of Legislature, on the part of each state, respectively.

And that the states of New Hampshire and Vermont do pledge their faith, each to the other, that the decision had by the persons so elected, being made up in writing, signed by the President of such Commissioners, and delivered to the secretary of each state, respectively, shall be held sacredly binding on each of the said states of New Hampshire and Vermont for ever.

And that proposals of the same tenor be also made to the Legislature of New York.

And this committee do further recommend, that nine persons be elected Commissioners by the Legislature on the part of Vermont, to treat with Commissioners to be elected on the part of New Hampshire and New York respectively, for the adjusting of the aforesaid jurisdictional boundary lines.

And that they be commissioned by his Excellency the Governor,

and the faith of this state be by him pledged in behalf of the state, that the decision thus had, shall in future be held as sacredly binding on the part of Vermont.

This committee further recommend to the Legislature, that the Proceedings of this committee be officially transmitted to the Congress of the United States; and that they be enclosed in a letter, under the signature of his Excellency the Governor, and directed to the President of Congress.

And this committee do further advise the Legislature to recommend to the authority in every part of the state, to remain firm in the support of government, and the punctual execution of the laws, notwithstanding the various measures taken to create divisions and discord.

The commissioners chosen for the above purpose — the honourable Elisha Paine, Jonas Fay, Ira Allen, and Peter Olcott, Esquires, Daniel Jones, Esquire, Colonel Gideon Warren, Phineas Whiteside, Esquire, Colonel Joseph Caldwell, and Ezra Stiles, Esquire.

Resolved, that it be an instruction to the said Commissioners, that they prepare and make the necessary defence in the premises; and that they introduce the said matters to New Hampshire and New York, in such way as to them shall appear best.

October 19, 1781.

Voted that this committee be dissolved.

(Signed) BEZA. WOODWARD, *Clerk of Committee.*¹

Ira Allen long afterward wrote of the legislature, 'that body was composed of men of very different interests, and more widely opposed in politics; these resolves were viewed by the several parties according to their objects, which rendered it difficult to come to any determination.'²

General Enos was in Charlestown petitioning the Legislature to confirm the grant of the town of Hartford, made to him and others by New York. Such a petition would not have been entertained by the Legislature at this time without some powerful influence. Most likely Ira Allen, who knew the importance of Enos's presence with his troops at Castleton at this special time, for Enos was to receive any dispatches sent there by Sherwood and Smyth, induced the committee to whom it had been referred to bring in a favorable report, providing that it was not to be a precedent. On October 20, an act confirming his title was passed and General Enos at once started. Three days after the act was reconsidered and re-

¹ Vermont, *Records of the Governor and Council* (Montpelier, 1873), p. 322; also Vermont, *Miscellaneous Transcripts*, No. 65.

² Allen's *History of Vermont* (London, 1798), p. 193.

ferred to the next Legislature. Isaac Tichenor left with Enos for Castleton. Undoubtedly Safford, the other member of the Legislature with Tichenor from Bennington, who had refused with Moses Robinson to sign the last certificate for the protection of Ira Allen in his negotiations with Canada, had told Tichenor more or less about the matter. Tichenor with this information induced General Enos, who was loquacious, as they rode along to relate all the details of the negotiation which had been imparted to him in strict confidence by Ira Allen. Tichenor, to advance his own political aspirations and to discredit Allen, gave this secret information some time after to a newspaper in Albany, which printed it. In the proper place the anxieties it occasioned will be disclosed.

A significant clause, in a three-page letter, concerning Vermont, from Chancellor Robert R. Livingston to General Schuyler, on October 26, infers that General Safford and Colonel Moses Robinson had written Schuyler all the details they knew, of the British negotiations. He wrote:

General Safford and Colonel Robinson certainly owe you obligation for concealing their extra. [ordinary] letter, and it plainly appears that you are not searching for faults, but would rather be made acquainted with virtues.¹

Meanwhile an army had been silently moving down on the frontier of Vermont. Smith wrote in his diary, October 24:

By various accounts from the north there is a body of 1500 Indians and more on the western frontier and an army of four, some say seven thousand men on this side of the lakes about Skenesborough. Twelve sloops with troops going up from the Highland Forts. I suppose Haldimand is to try the sincerity of Vermont.²

How anxious Ira Allen must have been for news of Washington's success or defeat. Knowing Sherwood was waiting with the proclamation and naturally very impatient, Allen, as soon as the resolutions declining to comply with the demands of Congress were passed by the Legislature, wrote Sherwood the following letter, sending it by General Enos, who was to forward it from Castleton by a trusty messenger to Ticonderoga. By a remarkable coincidence Cornwallis surrendered October 18 and the articles of capitulation were signed October 19.

¹ *Schuyler Papers*, New York Public Library; also *Smith Diary*, vol. 7.

² *Smith Diary*, vol. 7, New York Public Library.

No one could have known this fact in Vermont for several days.

CHARLESTOWN, *Oct. 20th, 1781*

DEAR SIR: —

I rec'd yours of the 30th ulto. and marked well the contents.

You are no doubt impatient waiting a return from me, but I must inform you that every matter has not operated as was expected, yet in confidence and pursuant to my engagement I transmit the head of facts that you may lay the same before the General for his information, viz;

A few days before the present session there was news from various quarters that Admiral De Grasse had arrived at Chesepick Bay with twenty-eight ships of the line and three thousand land forces exclusive of the Fleet at Rhode Island, which is said are gone to Charlestown to act in conjunction with Gen'l Green, that Adm'l De Grasse and the English fleet had a severe engagement in which the English were defeated, and the accounts to me appear so exaggerated that I shall not pretend to give you them, but by the New York papers it appears that the English were second best, and that the French keep the Bay, which prevents Lord Cornwallis retreat. General Washington with a division of his allied army has joined the Marquis who commanded in Virginia and some report that Lord Cornwallis with his army are prisoners; these accounts, whether true or false have their effect on the people. By the enclosed list of the officers of Government for the present year, and by the mark of the number of new ones, you will see there has been a great change which in many instances I find favorable; but these matters are so delicate, and so many strangers I have not sounded them all yet. It is to be observed that there is spies from the other States watching our motion. By the enclosed extract of the proceedings of the Committee of both Houses you will see how we have dispensed with the resolutions of Congress; the proposals to settle with the neighbouring States we view in present circumstances a polite way of closing the Treaty with Congress, and which will tend much to strengthen internal connections. There was but two dissenting votes in the whole.

It is with regret I am necessitated to request that you do not send the proposed proclamation at this time, as the before recited Southern accounts seems to forbid it for the present; yet the time will come when they will answer the design intended.

There is an account of Admiral Digbey's arriving at New York and that he has only three ships of the Line. I however expect more favorable news from the Southward soon.

Movements in these parts but too much depend on success to the South as this people do not feel themselves able to oppose the world which makes it hard and some dangerous making the first public move and to publish these matters before they are fully ripe might at last endanger the whole system so well calculated for the happiness of this people and on which I have placed my ambition.

You may depend that this people do not feel themselves under that obligation to Congress as they once did, but are losing sight of that object fast, and should the General's patience hold out and the frontiers not be invaded to rouse that spirit which there has been so much pains taken to lay these matters may yet crown our most sanguine expectations.

In full confidence of this I submit the whole matter to those whose right it is to determine.

I am Dear Sir
Your effectionate

I. ALLEN.¹

CAPT. JUSTICE SHERWOOD

While this letter was speeding northward, Ira Allen continued with the regular business of the State. There was a strong movement in the House, especially by lawyers who had recently settled in the State, to have a law passed empowering the courts to hear disputes in land titles and 'for quieting ancient settlers.' Allen was opposed to this at present, as it would create endless litigation and much discontent. He was on the committee to whom this bill had been referred and contrived to hold it in suspense for several years. It made for him some bitter enemies, but it prevented endless discord that might have endangered the State he had created. It was voted by the House, as had been requested by him, that the Treasurer must settle his account with the State before the next session and thereafter at the annual October session. A committee was appointed to inquire of the Treasurer how much paper currency had been put in circulation and the amount in his office. They reported, 'as nearly as can be ascertained, the amount of paper currency in circulation is £21,300 . . . that there is now due for land granted £6,835.' It was reported that there were nine hundred men in service who had received their pay to the first of July. That it would require £10,000 to complete their pay up to the first day of December. A committee, after conferring with Ira Allen, reported favorably a bill granting a township to General Barton, he to have two rights free 'for bravery,' and the town of Barton was granted.

We must digress from the proceedings of the Legislature, to relate an incident that almost occasioned a riot in that

¹ British Museum, *Haldimand Papers*, 34544; also *Canadian Archives*, B-175, p. 152, and Wilbur Photostats, University of Vermont.

body. Sherwood and Smyth were waiting impatiently to hear from Allen, and on October 22, not hearing, they decided to act. They were suspicious and, after talking it over with Colonel St. Leger in command of the troops then at Ticonderoga, they decided to send a letter addressed to the Governor and the Council, but questioned how best to send it. It was decided to send out a party and capture a Vermont scout, then set the scout at liberty with the letter. On the night of the 22d, they dispatched an officer and twelve men, 'which about 9 o'clock next morning met with a scout consisting of a serjeant and five men. Our party challenged and desired them to lay down their arms on which the rebels presented their pieces when one of our soldiers shot the serjeant [Tupper] who immediately expired. This struck such a terror on his fellows that they immediately surrendered.'¹ They were taken to headquarters and that night discharged with a letter to Colonel Walbridge from St. Leger. St. Leger's report to Haldimand reads:

I thought this gave a favourable opening to work upon the minds of the Vermontese by showing a pointed distinction to the inhabitants of that state. The prisoners were therefore well entertained and sent back attended by a flag, which was directed to interr the rebel serjeant's body. An open letter to give its purport the most general currency was given to the prisoners addressed to Governor Chittenden, expressive of the General's friendly disposition towards the people of Vermont.²

Smyth wrote Mathews; 'I expect his [St. Leger's] letter and this humane act will have a good effect.'³ Sherwood and Smyth sent the following letter of October 23, to Chittenden by this scout;

We, with pleasure, inform you that His Excellency, General Haldimand, has signified to us that the remainder of the prisoners, including those of the new unions, shall be sent forward as soon as convenient, and we earnestly intreat you to transmit to us on the receipt of this, your opinion, whether a proclamation from His Excellency, intimating his future humane intentions towards Vermont and her new unions would at this time be acceptable, or in any degree have a tendency to alleviate the calamities of war.

We cannot account for the delay of the prisoner which Col. Allen and Major Fay promised to send, and we had every reason to expect on or about the 17th inst.⁴

¹ *Canadian Archives*, B-176, p. 322.

³ *Ibid.*, B-176, p. 322.

² *Ibid.*, B-134, p. 179.

⁴ *Ibid.*, B-175, p. 157.

The 'prisoner' was the messenger they awaited.

Colonel St. Leger to Governor Chittenden

TICONDEROGA October 23

Not meaning hostilities against Vermont, while they choose to continue inimically disposed to the King's troops, as well as to evince the friendly inclinations of His Excellency, General Haldimand, towards them in the strongest manner, I have the honour to send back a scout of yours, surprised by one of mine.

As diffidence of an enemy is both prudent and natural, and small scouts of observation will consequently be used, on both sides, I shall continue this conduct, while you think it your interest to do the same.

I most sincerely lament that the necessity of service made shedding of blood unavoidable, my scout of observation was made purposely strong to avoid it, yours, I am willing to do justice, were too resolute to second my wishes.

While I sympathize with the friends of the deceas'd, I have directed the last decencies to be paid to his corps.

A flag attends your people to pass them through all advanced Posts etc., and see the interment made and return,

I have the honour to be with true regard, Sir,

Your Excellency's most obedient and most humble servant.¹

In addition to these two letters the messenger carried letters to the Governor from General Enos, Colonels Fletcher and Walbridge, announcing the arrival at Ticonderoga of the British army.²

Ira Allen thus describes events on the arrival of the messenger at Charlestown:

Mr. Hathaway, the messenger, not being in the secret, failed not to proclaim the extraordinary message of General St Leger through the streets of Charlestown, till he came to the Governor, which happened in the recess of the Legislature, and occasioned crowds of people to follow, to hear the news; the Governor and others were sitting in a large room, amongst whom were some persons that were eager to learn the negotiations that were generally supposed to be carried on between the British in Canada and Vermont, to make an ill use thereof. The Governor opened one of the letters; he thought it prudent to peruse it himself before he allowed it to be publicly read. These letters were found to contain both public and private information, which occasioned some change of letters between the Governor, Messrs. Brownson and Fasset, who were in the secret, and next to

¹ *Canadian Archives*, B-134, p. 161.

² Allen's *History of Vermont* (London, 1798), p. 190.

the Governor. In this confused moment, Major Runnals [Reynolds?] came in, and enquired of Colonel Ira Allen what was the reason that General St Leger was sorry that Serjeant Tupper was killed? Mr. Allen said he could not tell. Mr. Runnals repeated the question; and Mr. Allen observed, that good men were sorry when good men were killed, or met with misfortune, which might be the case with General St Leger. This answer enraged Mr. Runnals; and he again loudly enquired what reasons could possibly induce a British General to be sorry when his enemies were killed, and to send his cloths to the widow? Colonel Allen then requested Major Runnals to go at the head of his regiment, and demand the reasons of his sorrow, and not stay there asking impertinent questions, eating up the country's provisions, doing nothing when the frontiers were invaded. Very high words passed between the Major and Colonel Allen, till Mr. Runnals left the room. This manœuvre drew all the attention from said letters; it was then proposed that the Board of War should be convened; and the Governor then summoned the members of the Board of War to appear as soon as possible in his chambers, leaving Mr. Hathaway to detail the news to the populace, the Board of War being all in the secret. New letters were made out from General Enos, Colonels Fletcher and Walbridge's letters, and, for the information and satisfaction of the public, read in council and assembly for the originals, and then returned to the Governor. Those letters contained every thing but the existing negociations which prudence and policy dictated to be seperated from the other part of said letters.¹

The plan of sending the clothes as well as the letter was St. Leger's and it created much trouble.² St. Leger later reported to Haldimand that his letter had the 'desired effect . . . the most inflamed rebels began to reason coolly.' He did not know the manner in which the letters had been rewritten at Charlestown.

To return to the proceedings of the Legislature:

General John Stark petitioned for land with many others; their petitions were filed. Ira Allen reported there was very little ungranted land left in the State. County surveyors were appointed, among them James Whitelaw, who later succeeded Ira Allen as Surveyor-General, to which office the Legislature on the last day of their session, October 27, elected the 'Honorable Ira Allen, Esq.' They adjourned to meet in Bennington in January next.

Allen remained at Charlestown eleven days after the ad-

¹ Allen's *History of Vermont* (London, 1798), p. 191.

² *Canadian Archives*, B-176, p. 316.

jourment, making out warrants to give to the sheriffs to enable them to force the collection of taxes. To carry through successfully the many difficult negotiations Ira Allen undertook, the confidence and friendship of all the people was most essential. His office as Treasurer, now that the State was going to levy taxes, made this exceedingly difficult, as the following notice he sent out to collectors of taxes demonstrates:

To the constable of the town of Springfield Greeting.

Whereas the General Assembly, at their session in Charlestown, October, 1781 did grant a tax of six pence on the Pound on all the polls and rateable estate of the inhabitants of this State, on the list of the year 1781.

This is therefore to command you to collect of the inhabitants of said town of Springfield, six pence on the Pound, on the said list of the year 1781 and pay the same into the Treasury by the first day of December next. And if any person or persons shall refuse or neglect to pay his, her or their just proportion of said tax, you are commanded to distrain his, her or their goods or estate and the same dispose of as the law directs and also satisfy your own fees. And for want of goods or estate, you are directed to take their bodies and them commit to the keeper of the goal in the county of Windsor within the said prison who is hereby commanded to receive him, her or them and them keep safe until he, she or they pay and satisfy his, her or their proportion of said tax and be released, and also satisfy your fees.

Given at the Treasurers office in Sunderland, this 30 day of October 1781.

IRA ALLEN, *Treasurer*

TO SIMEON SPENCER

Kind thoughtfulness for these collectors appears in the notice which he sent out, regarding this tax, for the redemption of the State's money, the following spring:

SUNDERLAND, *April 9, 1782.*

SIR: In Obedience to the Laws of this State I have this day given out execution against you for the amount of the Respective Taxes committed to you to collect and which you have neglected to pay into the Treasury . . .

When I consider the small fee allowed you for collecting, the badness of the roads, and that the money is to be burnt, beg leave to suggest that if you can compromise matters with the Sherrif so as to transmit the money to me at the next session of the Assembly at Windsor that may save you trouble and be no injury to the Public as the money will be out of circulation when in your or the Sherriffs hands. I am, Sir, your

Humble servt

MR. SPENCER

IRA ALLEN

Allen traveled to Westminster under the wearing uncertainty from day to day as to the hour the British would invade Vermont, to have this circular printed, together with the tax blanks and an act for the provision tax, passed at the session of the Legislature.

For this invasion or demonstration the British had been preparing since early in October. On October 12, Lord Germain directed Haldimand to 'acquaint Ethan Allen with the King's gracious intentions to make the boundary of the New Province as extensive as he can desire.'¹ This letter was received many months after by Haldimand, but must have been a satisfaction, for it approved his act of the proclamation. About this time in October one Lovelace, a British spy, was hanged in General Stark's camp. Sherwood wrote Mathews, 'this barbarous murder of my worthy friend . . . stings me to the heart. I hope in God, his Excellency will permit us to retaliate.'² On October 22, Haldimand wrote Germain, 'as your Lordship observes while offensive operations are carrying on in the southern part of the Continent with success and if Vermont should not take an active part with the other states, no serious attempt [on Canada] is to be apprehended.'³

The British troops under St. Leger arrived at Crown Point on October 19, and at Ticonderoga the next day. Reports were received that Stark could assemble two or three thousand men at Saratoga. St. Leger wrote he would keep up a show of attack to prevent troops being sent to the Mohawk. 'The murder of Lovelace,' he wrote, makes it difficult to get information.⁴

Haldimand, on October 23, wrote Germain, and marked his letter 'Most private.' He gave Germain the 'fullest information' to date:

The leading men who profess themselves in the King's interest advised as a last resource my issuing a proclamation confirming to Vermont the late assumed territory and other privileges . . . thinking that from a late refusal of these by Congress the populace may be inclined to accept of terms of Government. . . . I have not sent a single Indian across Lake Champlain knowing the impossibility of

¹ Vermont Historical Society, *Collections*, vol. 2, p. 184.

² *Canadian Archives*, B-176, p. 314.

³ *Ibid.*, Q-19, p. 45.

⁴ *Ibid.*, B-134, p. 155.

restraining them to discrimination, chusing rather to risk the loss of their services should Vermont attack, than the danger of exasperating that people by trusting the Indians amongst them. . . . The crisis is arrived when some serious measures must be taken with Vermont, their strength and influence is growing rapidly and the Congress are upon the point of according to their demands. . . . Too much cannot be said upon the advantages that would result from a reunion of Vermont and the evil consequences which must attend her uniting with the other states against us.¹

He enclosed a copy of the proclamation with the comment that he had given his agent discretion as to forwarding it. The agent would act only on advice of Ira Allen; thus Allen controlled, in this crisis, both the Vermont Assembly and the British. In another letter on this day to Germain, Haldimand wrote of the successful Indian raids in the west, 'the perpetual terror and losses of the inhabitants will, I hope, operate powerfully in our favor with Vermont.'²

On October 24, from Ticonderoga Sherwood wrote Mathews: 'Mr. Allen's messenger has not yet come, nor can we account for the delay. Every account we get from Vermont is favorable.' He wrote of sending the letter to the Governor and Council, 'which I hope may meet with His Excellency's approbation.'³ Haldimand's high integrity shows forth in Mathews's reply to this letter: 'He is a little fearful that your proposing to the Governor and Council the issuing the Proclamation before you conferred with I. A. upon the expediency of it, may have been rather premature.'⁴

Allen's letter of October 20 reached Sherwood on the 26th. The following day he sent it to headquarters and wrote:

I received them by the hand of Mr. Blakely, . . . by a flag from Skenesborough; he was directed by Colonel Walbridge commanding at that post to deliver them privately to me and never to mention a syllable of the matter to any person in the world. Mr. Allen's letter and the manner of its conveyance with the correct account he gives of the proceedings of the Assembly, serve to convince me of his sincerity and loyal intentions. But I cannot see any thing in the enclosed papers to induce me to think with him that 'these matters may yet crown our most sanguine expectations.' I am much disappointed to find our trusty friends, Wells, Jones, Knowlton and Beadle, are left out of the Council and Assembly of Vermont. . . .

¹ *Canadian Archives*, Q-19, p. 48.

² *Ibid.*, Q-57-2, p. 359.

³ *Ibid.*, B-176, p. 316.

⁴ *Ibid.*, B-179, p. 148.

As I cannot at present send the proclamation and am not in a good state of health, I shall . . . return to St. John and there await his Excellency's further commands.¹

St. Leger wrote the same day. He had seen Ira Allen's letter and had changed his opinion of him in this tribute:

From the general character of the writer of the letter, I am willing to think the sentiments contained in it are the real dictates of his heart, but I despair of his being able with all the assistance of his co-operating friends to make the wished for impression on the minds of this turbulent people.²

Thomas Sherwood, son of Justus Sherwood, arrived at Ticonderoga; and St. Leger, on October 29, wrote Mathews:

The information he brings is as follows. . . . That the greatest jealousies approaching sometimes to hostilities, obtained between the adherents to the arrogated State of New York and those on the east side of the Hudson who have lately acceded to the union with Vermont and that one hundred and fifty families have been obliged to fly from thence to Bennington for security and protection leaving their properties to be plundered or vendu'd at the pleasure of their oppressors, those who chose to remain having petitioned Mr. Chittenden to send them assistance. The Governor's answer was; that from the present alarming circumstances which threatened the Northern Frontiers of Vermont, he could as yet yield them no succor but when he had nothing to fear for the post immediately open to the enemy, he would send them force sufficient to chastise the whole State of New York.

The letter concluded with 'A scuffle between them and their opposite neighbors could not but operate strongly in the furtherance of His Excellency's views.'³

When Governor Clinton of New York heard that Vermont had refused to dissolve her unions and that nothing was being done in Congress toward a settlement of the controversy, he wrote James Duane, the New York delegate in Congress, on October 29, intimating that the delegates from New York might be withdrawn 'and the resources of the state which have hitherto been so lavishly afforded to Congress, be withheld for the defence of New York.'⁴

On October 31, General Robertson from New York wrote to General Haldimand that Sir Henry Clinton, with six thou-

¹ *Canadian Archives*, B-176, p. 318.

² *Ibid.*, B-134, p. 165.

³ *Ibid.*, B-134, p. 167.

⁴ Lossing's *Life of Schuyler* (New York, 1873), vol. 2, p. 409.

sand men on board twenty-five sail, had left New York to aid Cornwallis, but that Cornwallis had surrendered on October 19. He concluded with 'I will willingly give up a very good estate in that country and every provincial interest to fix these people [Vermont] in the interest of the crown, but I doubt this recent event will defeat all your trouble and pains.'¹

As the position of St. Leger at Ticonderoga alarmed the Vermonters, he moved his forces northward to Chimney Point on November 3. He wrote, 'This, I conceive will cause the present ferment to subside, and, when their minds shall be more undisturbed, perhaps they may reason and reflect more coolly and deliberately.'² On November 6, St. Leger heard of Cornwallis's defeat and on the 16th, he moved all his forces back to St. John's.³ Sherwood wrote on November 2, 'I have however so much confidence in Colonel Ira Allen that I beg leave to recommend a secret correspondence with him.'⁴ Sherwood went to Skenesborough on November 4, and met Colonel Walbridge who commanded there. The following are extracts from his journal and are pertinent to the subject of Vermont's loyalty:

I communicated to him the heads of the proclamation which Vermont (I told him) might have been favored with, and still had an opportunity would they improve it before it was too late. He approved much of the terms and lamented that it was not possible to embrace them in the present situation of affairs. He said Colonel Allen desired him . . . to acquaint me that the ruling men in Vermont were at present mostly friends to a re-union with Great Britain and that the idea had become familiar to many of the populace, that every thing was going on well till the news of the bad success of Great Britain by sea and land had circulated through the state. This had in a great measure overturned all that had been done and (if affairs did not take a sudden turn) he feared would finally prevent a re-union, he however would not fail to still do his endeavor and hoped the General would have patience till spring.⁵

Mathews wrote St. Leger and Sherwood November 5, approving of their letters to Vermont. 'The political correspondence and conduct of the principals . . . certainly indicate

¹ Vermont Historical Society, *Collections*, vol. 2, p. 194; also *Canadian Archives*, B-147, p. 381.

² *Canadian Archives*, B-134, p. 165.

³ *Ibid.*, B-134, p. 179.

⁴ *Ibid.*, B-176, p. 326.

⁵ *Canadian Archives*, B-175, p. 162; also Wilbur Photostats, University of Vermont.

sincerity.' The affair [Cornwallis] to the south will 'declare the people of Vermont in our favor or otherwise. . . . The proclamation must as originally intended be delivered or suppressed as circumstances shall point out.' He requests them all to deliberate, 'the result will turn entirely upon the answer expected from Ira Allen.'¹

Sir Henry Clinton and the fleet returned to New York November 4. Smith wrote in his diary, November 8, that he had gone through Haldimand's letters of October 1, 3, 'And shall not be astonished if Sir H. does not the first turn of the wind ascend the Hudson. It will divert the northern militia and favor Haldimand's designs in Vermont.' November 9, he wrote: 'Fearing Sir. H. may omit sending Haldimand's last letter and proclamation to Vermont by the mail now closing, I ventured to give him a hint by letter last night of the necessity of dispatch, as the minister must report to Parliament for power to fulfill Haldimand's engagements. I have suggested this to General Tryon long ago and enclosed the proper clause of an act, leaving this adjustment to commissioners.' He wrote that Clinton's letter to the Minister, enclosing papers, 'does not intimate that Parliament is to be resorted to.' These papers were not sent until November 15. Smith wrote under that date, 'How unstable.'² November 12, Clinton wrote Haldimand he would lay all the papers before Admiral Digby, joint British Commissioner with him, as soon as he arrives in town:

You will not expect more from me by this conveyance respecting your measures with the leaders of Vermont, than a general declaration of my confidence in your endeavors to separate that district from the revolt, and my wish for its success.

The extent of the expectations of the people and of your promise to meet them, will, I apprehend, make it necessary for the Crown to resort to Parliament, for the truth is that the powers of the present commissioners extend only to granting pardons and restoring provinces or districts to the King's Peace, and this alone is the reason of my sending to the Secretary of State these transactions, and I hope you will find no difficulty in preventing our enemies [the United States] from practicing upon the jealousies of the inhabitants of Vermont before the result of the public deliberation can be transmitted.³

¹ *Canadian Archives*, B-135, p. 287.

² *Smith's Diary*, vol. 7, IV, New York Public Library.

³ *Canadian Archives*, B-147, p. 385; also Vermont Historical Society, *Collections*, vol. 2, p. 198.

This letter was not received by Haldimand until May 4, 1782. It will be remembered that Ira Allen questioned Haldimand's power in May, 1781, and requested to know if Parliament had given him power. Allen judged that Parliament would have to act and raised the question. When he discovered that they took no action, he believed he was negotiating with one who had not the power to grant that which was promised. Those who have accused Ira Allen of disloyalty should have pondered well this evidence of his astuteness.

Haldimand wrote Clinton, November 14 and 15, that he was anxious to hear news regarding Cornwallis. 'On that event the conduct of Vermont will turn; if unfortunate, she will be our most dangerous enemy, otherwise affairs are in a good train.' The only information Haldimand had at this time regarding Cornwallis was gleaned from rebel newspapers and he considered them much exaggerated. 'The season being so far advanced, I every day look for the return of the detachments from the frontiers.'¹ The last letter, a long one, did not reach Clinton until January 8, 1782. St. Leger was given discretion by Haldimand as to when he had best retire to Canada,² and Sherwood was complimented on the effect of his letter, carried by the prisoners who were sent back to Vermont; 'it would appear from your remarks and the continued profession of Mr. A. . . . that nothing is wanted to success in the desired reunion, but a favorable decision of affairs in the Chesapeake. The effect the contrary would have, is but too evident.' The secret correspondence Sherwood proposed with Ira Allen was approved.³ November 16, St. Leger wrote headquarters: 'The fatal news had already reached them [Vermonters], together with the most peremptory mandates from Congress, dictating the part they would oblige them to take. One part is in the highest consternation, dreading everything that tyranny and oppression can inflict, while the other is rioting and drinking through the country, on account of their late successes.'⁴

Haldimand now expected an attack on Canada. He wrote all the frontier posts of the necessity of vigilance.⁵ He was

¹ *Canadian Archives*, B-147, pp. 387, 388; also Vermont Historical Society, *Collections*, vol. 2, p. 207.

² *Canadian Archives*, B-135, p. 289.

⁴ *Ibid.*, B-134, p. 207.

³ *Ibid.*, B-179, p. 157.

⁵ *Ibid.*, B-96-2, p. 169.

particularly desirous of obtaining intelligence of the intentions and movements of Washington.¹ The following letter from this brave general to his chief, Lord George Germain, was found in the British Museum. It was not received in London until August 28, 1782, and may have had a deciding influence in the peace negotiations then taking place.

QUEBEC, November 18, 1781

(Most Private)

MY LORD: —

This letter is accompanied by a duplicate of one I had the honor of addressing to your Lordship the 23rd ultimo (marked most private) upon the subject of Vermont Affairs on which I flattered myself by this late occasion to have been able to furnish your Lordship with some decisive information but the critical situation of affairs in the Southward prevents the Vermonters from ultimately declaring themselves. Inclosed I have the honor to transmit to your Lordship extracts etc. (34 and 35) just received from my agents with the Detachment at Tyconderoga, by these your Lordship will perceive that notwithstanding the continued professions and hopes of success expressed by the leading men who wish for a reunion, they have not yet been able sufficiently to prepare the minds of the populace for the reception of the proclamation which I directed eventually to be issued amongst them. From this it is evident that the conduct of Vermont will be entirely regulated by the important event to be decided in the Chesepeak and should it prove fortunate, there is much reason to hope from the train in which things are that Vermont will return to her allegiance but if unhappily the contrary, all expectations from negotiation must cease, for however well disposed some of the principal people may be to a reunion, such is the enthusiasm of the Vulgar for their idol independence that nothing but unavoidable necessity will ever induce them to relinquish it and I have just had the mortification to hear from the most intelligent person I have yet seen from the Colonies, a most sensible man and an approved loyalist, that this spirit is in no degree diminished except where the severities of want have for the time abated its ardor; and [he] assures me from personal knowledge that the revolt in the Rebel Army from which we promised ourselves so much was produced by no other motive than a total want of money and necessaries and that these regularly supplied can never fail to provide an army whenever and wherever it shall be wanted. We are deceived with respect to the difficulty of Mr. Washington procuring men to recruit his army. It is true they are backward in engaging in what they call the Continental troops, or standing army, but *six* and *nine* months men are to be found in abundance, by which means the whole body of the people are become soldiers and their militia are equipped and as good troops as any they have and form into amazing bodies on the

¹ *Canadian Archives*, B-135, p. 292.

shortest notices. He says, there are no doubt throughout the Continent and in the neighborhood of Albany, where he has lived for many years, a number of good Loyalists but so violent is the persecution of them that they live in continual terror. These people who have settlements and families, however well disposed, cannot declare themselves upon the flying incursions we make into the Colonies but if we were in a situation to take post and remain with a great superiority in their country, then and not till then, numbers would flock to the King's Standard. The difficulty of procuring intelligence is much increased by discoveries from Rebel prisoners who break their parole and desert and by secret recruiting parties in the Colonies and the Rebels now hang without hesitation every person whom their inquisition find guilty as spies.

Concurring reports from the Colonies represent Lord Cornwallis's situation as desperate. Some go so far as to say his army is taken; I should think nothing can occasion this, but a decided superiority in the Bay if it happens there is every reason to suppose their original design against this Province will take place in the Spring and it will be materially facilitated and strengthened by Vermont who have been long preparing and are lying by for some great event which may turn in our favor if the Cheseapeake affair should terminate happily.

This gentleman from Albany informs me that Indians of the Canada tribes who are chiefly in the French interest constantly held intercourse with the Rebels and conveyed intelligence and letters between them and the disaffected inhabitants of this Province and that many of them in company with chiefs of the Oneida Indians are actually gone to visit the French Army and Fleet at Cheseapeake to be convinced of their strength and to report thereon to their brethren of Canada and the Upper Country. Should affairs in that quarter wear an unfavorable aspect, their report (which will not fail to be exaggerated) will be attended with dangerous consequences. The nations of Canada are civilized and chiefly Catholics, many of them speak the language and from habit as well as the assiduous persuasion of the Canadians strongly attached to the French and would undoubtedly declare for them upon the appearance of a French Army which seems more than ever to be expected since the unfavorable report of the Chesepeak affair has gained belief and it is with much concern I acquaint your Lordship that I have myself perceived secret pleasure from that hope strongly marked in the countenances of many who make their bows to me.

I have the honor to be with the greatest respect and regard, My
 Lord Your Lordship's most obedient and most humble servant,
 FRED HALDIMAND.¹

RIGHT HON. LORD GEORGE GERMAIN

Had Sir Henry Clinton been more active, it is probable a far different sequence of events from this date would have to

¹ *Canadian Archives*, Q-19, p. 299; also British Museum, *Haldimand Papers*, November 18, 1781.

be recorded. The following, which apparently has never been made public, will shed some light on Clinton's character and reveal the principal reason why Cornwallis was not more successful. November 26, 1781, Smith wrote in his diary:

From 12 to 4 P.M. on a visit to Sir Henry Clinton. He very properly at parting apologized for boring me so long, for he talked almost all [the time] in a desultory justification of his own conduct and a Censure of everybody else. Lord Amherst, the Secretary of State, Sir George Rodney, Lord Cornwallis, General Robertson, General Kuyphausen, General Tryon, Admiral Arbuthnot, Mr. Graves, the fleet &c. &c. He is a distressed man looking for friends and suspicious of all mankind and complains of the number of his enemies. . . . He owned what I had suspected that, if he had relieved Lord Cornwallis, it was his design to have given up the command and gone directly home from the Chesapeake. He believed Cornwallis wanted him out and the Ministers too. He had written that he was coming if that event took place. Yet he seems now to think of staying and that he shall get the reinforcement he has so long required.¹

Ira Allen wrote:

Thus ended the campaign of 1781 [with the British] with the accidental loss of only one man, on the extensive frontiers of Vermont, exposed to an army of ten thousand men; yet she [Vermont] did not incur any considerable debt. Such were the happy effects of these negotiations.²

The Vermont Legislature, having refused to comply with the demand of Congress that they dissolve their unions, had appointed commissioners to settle the boundary lines with New Hampshire and New York and had sent to those States copies of the resolves and acts passed on those two questions. Ira Allen had favored sending the act to New Hampshire by an agent who could explain 'the difficulties the Legislature labored under in complying with the resolves of Congress.' He believed that, if the lines could be agreed upon with New Hampshire, and if New York declined to appoint commissioners, Vermont could have retained her territory to the Hudson River, 'For a settlement with New Hampshire would have made friendship with the states of Massachusetts, Rhode Island and Connecticut; that the States of New Jersey, Pennsylvania, Delaware and Maryland would also, in that case, have been friendly to Vermont.'³ The majority of the Legisla-

¹ *Smith's Diary*, vol. 7, IV, New York Public Library.

² Allen's *History of Vermont* (London, 1798), p. 195.

³ *Ibid.*, p. 196.

ture, however, decided against sending the acts by an agent. Disregard of Allen's advice almost led to a civil war and only through his efforts was it averted.

In November, the New York Legislature adopted a series of resolutions setting forth elaborately the claim of New York to Vermont and the pledges of Congress to New York. New York was alarmed by the resolves of Congress of August 7 and 20. They accused Congress of intending to recognize Vermont from '*political expedience* and establishing an *arbitrary* boundary.' Ira Allen wrote that the New York Legislature evidently considered that the resolves of Congress 'were the illegitimate offspring of' ¹ Lord George Germain's letter, which was read in Congress on July 31. The New York resolutions were almost threatening; the final one read:

Resolved, That in case of any attempt by Congress to carry into execution their said acts of the 7th and 20th, of August last, this legislature, with all due deference to Congress, are bound, in duty to their Constituents, to declare the same an assumption of power, in the face of the said act of submission of this state, and against the clear letter and spirit of the 2nd, 3d, 9th, and 11th articles of the Confederation, and a manifest infraction of the same; and do, therefore, hereby solemnly *protest* against the same.

On November 20, Governor Chittenden signed a letter to the President of Congress, enclosing the resolves passed by the Legislature in October regarding the unions, and the act passed regarding the appointing of commissioners to settle the boundary lines. It concluded, 'When these matters are effected, there will remain no obstacle to bar this State from a seat in Congress, when it will be for the mutual interest of the United States and this, to be confederated together. Therefore, there will be no time lost in effecting the long wished for union.' ² Vermont's position was consistent; she had entered into an agreement with the people of the two territories annexed, that not until Vermont was united to the other States would she submit any boundary disputes to Congress. It was further agreed that it could be left to 'such other tribunal as may be mutually agreed on.' Now that all parties in

¹ Allen's *History of Vermont* (London, 1798), p. 200.

² *Papers of the Continental Congress*, No. 40, 2, folio 110, Library of Congress; also Wilbur Photostats, No. 99, University of Vermont.

Vermont had agreed to leave it to commissioners, nothing would prevent a settlement but the refusal of New Hampshire and New York to appoint commissioners with the same power that Vermont had given to hers. Vermont usually presented her case to Congress before her opponents presented theirs, and Ira Allen's concise and truthful statements tended to weaken the opposing influence. The leaders knew of the strained relations of many of the inhabitants of the annexed territory and used every effort to prevent hostilities. They allowed New Hampshire, without remonstrance, to hold court in Cheshire County in the annexed territory.¹

In the annexed New York territory there was argument and often encounters when those still loyal to New York met those who now claimed citizenship in Vermont. One of the most serious of the encounters occurred early in December in the town of Hoosac, in a public house, where numbers of each faction were congregated; among them was Colonel Van Rensselaer who lived in the vicinity. Adherents of Vermont were in the majority and Van Rensselaer and others were seized and carried to Bennington, some ten miles distant. There the magistrates refused to issue warrants for them and they were liberated. They were greatly incensed at their neighbors for their rough treatment, but admitted that, in Bennington, they were treated like gentlemen. Van Rensselaer, being an officer in the militia and influential, called on General Gansevoort, in command of the State militia at Albany, to protect him, claiming his life was in danger. Gansevoort ordered out the New York militia and two hundred men responded. Governor Clinton approved and wrote him 'to carry the laws of New York into execution against those who shall presume to disobey your lawful orders.'² He also ordered other officers to help if called upon and wrote Gansevoort, 'should the force already detached prove insufficient, you will make such additions to it as to make it effectual.'³ Colonel Abbott collected the militia to the number of two hundred that were loyal to Vermont and camped within half a mile of the Yorkers. 'The horrors of civil war seemed to moderate both parties.'⁴ They

¹ *Weare Papers*, vol. 10, p. 74, New Hampshire Historical Society.

² *Clinton Papers*, No. 2445, New York State Library.

³ *Ibid.*, Nos. 4213, 4217; also Vermont Historical Society, *Collections*, vol. 2, p. 210.

⁴ Allen's *History of Vermont* (London, 1798), p. 200.

remained thus several days. All of these men in the Vermont camp lived in the annexed territory.¹ Governor Chittenden endeavored to reconcile both parties first by writing, finally by sending General Safford and Colonel Walbridge to see the commanding officers and if possible settle the controversy without the shedding of blood. They could not effect an accommodation and returned home. Then, as always in emergencies, Chittenden called on Ira Allen to adjust the matter. Allen's foresight had anticipated just such a situation.

There had been no occasion to test the loyalty of the regular Vermont militia in fighting against the militia of New York, especially in the annexed territory and between contestants living outside the boundaries of Vermont proper. That Colonel Lee and the officers under him, at the post at Rutland, might understand the circumstances before they were called on to fight New York, Ira Allen, on December 8, from his home in Sunderland, wrote the following letter to Colonel Lee:

I have to inform you that the legislature of New York, at their late session, have revived their claim to the West bank of Connecticut River. They have remonstrated against the resolutions of Congress of the 7th and 20th of August last, which virtually invite this state into the confederacy of the United States. In fine, their procedures will most probably for the present bar congress from any further proceedings, when this state are left to Vindicate their rights to independence against all the machinations of their old adversary, every measure is taken to divide and sub-divide the citizens of our Western territory, to which this state have pledged their faith to support, and which the impartial world will justify this state in, when they consider the former proceedings of the government of New York against this people, and the resolutions above referred to.

It is further to be observed, that if this state are left to support themselves against various powers, the more numerous her citizens are the better; and other advantages which are very important will arise to this state by holding the Western Territory, which is clearly in the power of this state to support, yet it may be necessary in order to convince the government of New York that this state will support her jurisdiction, and to suppress some internal divisions to the westward, that a body of the Militia should make a move to the west, which would doubtless answer similar purposes as the tour into Cumberland County did. [When he accompanied Ethan and put a large number of the leading men in jail in 1779] Should any thing of that kind be necessary, it is expected by the governor,

¹ Caleb Stark, *Memoirs and Official Correspondence of John Stark* (Concord 1860), p. 296; also Vermont Historical Society, *Collections*, vol. 2, p. 212.

General Safford, and others who were in council last evening, that you will furnish such proportion of your regiment as shall be necessary. There are other cogent reasons that at this time cannot be inserted in this letter.

It is expected by those in council [last] evening, that you consult your officers and soldiers on this subject, and make these matters familiar to them.¹

Thus Ira Allen believed in confiding in the soldiers when they were called upon to perform certain duties. He knew that their approbation would tend to make them all partisans.

At the Governor's request, Ira Allen visited the camp of Colonel Abbott first, advising him and his officers against any rash measures and assuring them 'that some way would be found to settle the dispute without an appeal to arms.' He obtained their promise not to begin hostilities 'till the further order of the Governor.' He then proceeded to General Gansevoort's camp, had an interview with him and his officers, endeavored to settle the controversy, observing that the measures pursued by New York had forced Vermont to extend her claims, and that in time of peace the dispute might be adjusted.

General Gansevoort was very much opposed to a civil war, yet thought it a duty incumbent on the State of New York to protect her inhabitants . . . Colonel Allen observed that the State of Vermont had an equal right to protect those who had acknowledged her jurisdiction.²

After much argument to induce Gansevoort to withdraw, but without avail, he returned to the Governor at Arlington and advised the raising of a force from within the old bounds of Vermont to march against Gansevoort. The latter was so opposed to a civil war, Allen believed, that a superior force marched against him would give him a good excuse to retire.

The plan was adopted; and, while the Governor was making out his orders, directing Colonel Allen, with a detachment of Militia, to prosecute said plan, an express arrival from William Page, Esq. Sheriff of the County of Washington, announcing the prospects of hostilities in the east Union from New Hampshire. This intelligence made a serious impression on the minds of the Governor and Council for a few moments (as it appeared like an agreement between the claiming states to commence hostilities at one and the same time).³

¹ Manuscript Record, Board of War, Secretary of State of Vermont, p. 27; also Vermont Historical Society, *Collections*, vol. 2, p. 210.

² Allen's *History of Vermont* (London, 1798), p. 201.

³ *Ibid.*, p. 202.

The letter from Page was received on December 14. The Governor and Allen decided at once to prevent if possible becoming involved with the Continental army. They decided to write General Washington informing him of the reasons of Vermont's non-compliance with the demand of Congress, and of the particulars of the Haldimand negotiations. The letter was written by Ira Allen and is recorded in the next chapter. To prevent Stark taking any part in the controversy, should Allen's plan of a large force fail to overawe Gansevoort, which would likely bring on a battle, a letter was dispatched to Stark informing him that the Governor was going to call a meeting of the Legislature,

at which time they will doubtless consult such measures as may tend to the peace and tranquillity of this and the United States. In the mean time I earnestly request that you write to the officers of New York, that are daily making depredations to the west, to suspend any further operations of that kind until the assembly meet; and that, if they do not comply, you will not interfere with your troops. And I do assure you that if they comply with said request, and liberate the prisoners they have taken, *I will suspend the exercise of jurisdiction or law over any person or persons who profess themselves subjects of New York, during that time.*¹

Stark had seen the Vermonters in action and it may be conjectured he had no desire to engage in this imbroglio, for he had written a letter, the day before the above letter was dated, to Colonel Yates in command of the New York militia on the battle field, 'Upon anxiously examining the nature of the disputes between New York and Vermont, I am of opinion that violent measures at present would be attended with very evil consequences.'² He suggested to Yates that, if responsible men in Vermont could be induced to agree that Colonel Van Rensselaer and friends would not be molested, he had better retire and, if his orders were such that he could not retire, to appeal to General Gansevoort. On the same day Stark wrote President Weare of New Hampshire informing him that the New York and Vermont militia were in camp facing each other.³

When it was learned that New Hampshire was also defying Vermont, it was decided that Ira Allen must let others take

¹ Caleb Stark, *Memoirs and Official Correspondence of John Stark* (Concord, 1860), p. 302; also Vermont Historical Society, *Collections*, vol. 2, p. 216.

² *Ibid.*, p. 300; *ibid.*, vol. 2, p. 215.

³ *Ibid.*, p. 301; *ibid.*, vol. 2, p. 215.

command of the troops to march against New York and he must manage the New Hampshire affair. Colonel Walbridge was placed in command and several hundred Vermont militia turned out. On December 16, Colonel Abbott, in command of the two hundred in camp, wrote Lieutenant-Colonel Henry Van Rensselaer that he had 'this minute received orders from my superior which delay me from holding any further treaty with you — therefore I shall not meet you at time and place appointed.'¹ The Vermont troops were on the march. On December 17, from Mapletown, Walbridge wrote Van Rensselaer, 'Yours of this day to general Safford has been duly considered, and as you are pleased to say that you are not authorized to treat with any but subjects of the state of New York, it is imagined there is none such opposed to you.' He then proposed that all prisoners be released, that 'you make good any damages sustained by individuals by the troops under your command.' All persons residing in the territory are to rest quiet 'until the dispute shall finally be adjusted by Congress.'²

'The overpowering force from "Old Vermont," suggested by Ira Allen was now approaching, and General Gansevoort had learned the fact' and taken active command in the field. He wrote to Walbridge, on December 18, that he had come to aid the sheriff of the county 'but before he proceeded any further, he wished to be informed what was the object of their movements into the interior parts of New York, and by what authority.'³ Walbridge replied proposing about the same terms offered to Van Rensselaer and contained in Chittenden's letter to Stark. These terms would have restored peace without dishonor to either party or prejudice to their rights. General Gansevoort did not respond in the like spirit, nor did he remain on the field to assert the authority of New York. 'Of his retreat and the end of the quasi war, a New York author has given the following account':

On the 16th [December] General Gansevoort took the field himself, repairing in the first instance to the headquarters of general Stark at Saratoga, in order to obtain a detachment of troops and field-

¹ *Clinton Papers*, No. 4225, New York State Library; also Vermont Historical Society, *Collections*, vol. 2, p. 217.

² *Ibid.*, No. 4230; also *ibid.*, p. 217.

³ *Ibid.*, No. 4238; also *ibid.*, p. 218.

pieces. But the troops of Stark were too naked to move from their quarters; and it was thought improper for him to interfere without an order from general Heath. [The letter from Vermont of December 15, had accomplished its purpose] Gansevoort then crossed over to the east side of the river, in order to place himself at the head of such militia as he could muster in Schaghticoke and Hoosick; but was soon met by Colonel Yates in full retreat. . . . He had been able to raise but eighty men . . . and on arriving at San Coick he discovered a force of five hundred men advancing from the Grants to the assistance of the rebels. . . . Under these discouraging circumstances, the general was compelled to relinquish the expedition, and the insurgents remained the victors, to the no small terror of those of the inhabitants who were well disposed [to New York] inasmuch as they were apprehensive of being taken prisoners and carried away, as had been the case with others, should they refuse taking the oath of allegiance to the government of Vermont.¹

There is no mention of Ethan Allen in this affair although he accompanied the troops.² He was undoubtedly admonished by Ira Allen that an exhibition of quiet strength would win and until that had failed he was to take no part, if however the Yorkers decided to fight, then Ethan would have been the inspiration of the troops and carried all before them. Thus ended the threatened civil war with New York.

France was watching Vermont affairs, as the following letters reveal:

La Luzerne to Vergennes

PHILADELPHIA, December 6.

Vermont has refused the offer of admission to Congress because of the condition of re-annexing to the other States the counties dismembered for aggrandising herself. The worst is that she continues to be aggrandised.

The New York delegates talk more than ever of subduing this country by force and Congress is continually reduced to the alternative of seeing her authority disregarded or of dissatisfying several other States or of opening a door to the English through Canada or should it have recourse to severity, might start a civil war with these warlike people who might be rescued by England and it would be difficult to calculate the result of such a rupture. For the rest, it is noticed that in the expedition that the English have just made by the Lakes and in which they have so little succeeded, the Vermonters have made no movement to help them.

¹ Wm. L. Stone, *Life of Brant*, vol. 2, pp. 205-07; also Vermont Historical Society, *Collections*, vol. 2, p. 219.

² *Ethan Allen Papers*, 407-08, Secretary of State's Office, Vermont.

Vergennes to La Luzerne

VERSAILLES, December 24.

We see with pleasure that the discussion relative to Vermont is in a way to be settled to the common satisfaction of the United States and of the Vermonters. If you are notified of the admission of the latter into the American Confederation you may reply that the King will willingly recognize them as his allies and that His Majesty will guarantee the limits of their States such as will be established on the cessation of active warfare with Great Britain conformable to the tenor of Article 11(?) of our treaty of alliance. This answer holds us to nothing and causes Vermont to dispute her pretensions with England.

La Luzerne to Vergennes

PHILADELPHIA, December 30.

The Vermont question becomes more embarrassing daily. The inhabitants have passed the limits which Congress had fixed in the supposition that they would be admitted to a place in the United States. They have usurped a part of the territory which belongs evidently to New Hampshire and they have exercised rights of sovereignty there: They have even thrown into prison certain individuals who refused to recognize this illegal authority. The High Sheriff equipped with the authority of the State of New Hampshire having presented himself to procure the liberty of the prisoners, the Vermonters threw him into the same dungeon. These excesses seem to point to civil war among the Eastern States. It is thought that the English are the secret prime movers, of this affair, and, if the Vermonters consent to receive their assistance, it will be difficult for New Hampshire to reduce to obedience this district which is filled with excellent soldiers. While this developement proves how fragile are the ties which hold together the patchwork which form the States and how little the people respect duty. It disclosed the power of a confederation which cannot give assistance to one of its members without being illtreated by her proper subjects.¹

These are further evidences of the faithlessness of Congress; for Vergennes, as did the British and the people of Vermont (except Ira Allen and possibly Dr. Jonas Fay), believed that Congress would recognize Vermont if she relinquished her annexed territory.

Ira Allen had much to contend with in Vermont in addition to the opposition of New Hampshire, New York, and Congress. Moses Robinson, called the 'honest deacon,' attended the meeting of the Legislature of New Hampshire, unknown to Allen and his associates, and tried to settle the boundary

¹ *Affaires Etrangères. Paris, Correspondance Politique Etats Unis*, vol. 19, pp. 168, 254, 266, 377, 386.

dispute; he urged General Folsom and others 'to carry into execution the plan proposed by the Legislature of Vermont; . . . if you,' said he, 'will appoint a number of men to join a number we shall chuse to settle the line between us, I will engage our men shall give it in your favor — and you know who to appoint; We never had it in view to take the east side of the river only to get rid of them the first opportunity.' ¹ New Hampshire wanted a speedy determination by Congress of the boundary dispute. ²

Ira Allen now faced the warlike attitude of New Hampshire. The Assembly of that State had rejected the proposals of Vermont and had declined to appoint commissioners to settle the boundary line. President Weare, on December 4, wrote to Samuel Livermore, the New Hampshire delegate in Congress, informing him of their present trouble in enforcing the laws. He asserted that they had not distressed the people claiming allegiance to Vermont, and hoped Congress would decide the matter. 'It is now absolutely necessary for the state to exert our authority to relieve our fellow citizens distressed, threatened and dragged to jail. . . . And I cannot doubt but Congress will support us herein and grant us such assistance as may at any time be necessary.' He requests that Congress be informed and 'urgently requests that Congress will make a final settlement and determination.' ³ He also sent a copy of a proclamation ⁴ that had been issued on a resolve of the Assembly calling out one thousand of the militia to be used in the western part of the State. This letter was read in Congress on December 17, and was referred to a committee of five. Livermore wrote Weare the next day: 'Every member of Congress but one appeared in our favour and against Vermont, as far as I could judge. . . . The labouring oar I think is on Congress to support their own honor, dignity and authority. I wish to keep it so.' ⁵ December 14, Stark wrote Weare from Saratoga of the 'riotous conduct' of the Vermonters in New York State. He finds that 'they have not only rejected the resolves of

¹ *New Hampshire Provincial and State Papers*, vol. 10, p. 475.

² *Ibid.*, p. 473.

³ *Weare Letters and Papers, 1780-1824*, 013, 24, p. 57, Massachusetts Historical Society.

⁴ James B. Wilbur Library, Manchester, Vermont.

⁵ *Weare Papers*, New Hampshire Historical Society; also Vermont Historical Society, *Collections*, vol. 2, p. 220.

Congress, but in reality have disavowed their authority.' He refers to the committee appointed to agree on boundary lines. 'For men of sense to suppose that New Hampshire would ever consent to an indignity so flagrant, and an abuse so pointed as this seems to be, is what I own surprises me.' ¹ Thomas Johnson wrote General Haldimand that New Hampshire was 'most inveterate against Vermont; they have appointed officers and ordered men to be raised to suppress [Vermont].'² The trouble in the New Hampshire annexed territory began early in November. Vermont had appointed officers in each town, as had New Hampshire. It culminated when Sheriff Hale, of Cheshire County, under New Hampshire, undertook to release two prisoners. He was arrested by Sheriff Page, under Vermont, arraigned before two magistrates and committed to jail, November 29. The Assembly of New Hampshire passed an act, November 27, empowering Hale to call on other sheriffs to raise men and assist him in executing the laws.

General Bellows wrote President Weare November 29:

The methods taken by the General Assembly for Liberating Mess^{rs} Bingham and Grandy are so far from being effectual for that purpose that the authority of Vermont have imprisoned the Sheriff of the county of Cheshire. . . . The authority of said Vermont are determined to keep the gaol and their prisoners, and also to withstand and oppose (by force of arms) all the sheriffs and their posses who may be employed by New Hampshire. . . . It is said that they can raise (by their account) six hundred men at the shortest notice, who will resolutely dispute the ground inch by inch. That the posse should be raised to carry the orders of this state into execution now, is absolutely necessary, something effectual must be done, dallying will not answer, and unless some force can be obtained from without the County of Cheshire, it will not be advisable to dispute the ground any longer. You can't but be sensible of the ill consequences of such an attempt from within ourselves within this county and especially within the Grants, for, should the friends of New Hampshire generally exert themselves at this time, it would universally alarm the Vermonters, and many who would not otherwise arm in this quarrel would exert themselves to the utmost to oppose the orders of the Assembly and all the New Hampshire authority. ³

¹ *Weare Papers*, New Hampshire Historical Society; also Vermont Historical Society, *Collections*, vol. 10, p. 87.

² MSS. New Hampshire Grants, no. 143, Library of Congress.

³ *New Hampshire State Papers on Vermont Controversy*, p. 283; also Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 2, p. 337.

He closed by recommending that a sufficient force be raised outside the Grants — that is, east of the Mason line — if New Hampshire is determined to support her friends in this quarter. It was this letter that undoubtedly induced the Assembly to authorize the President to issue his proclamation calling out one thousand men. On December 12, Colonel Enoch Hale wrote to President Weare from the jail in Charlestown: 'Sir, I think now is the time to put the laws in execution, more especially the State ones.'²

On December 1, Dr. William Page notified the militia officers, who were appointed by and were acting under Vermont authority, to be prepared to act in case New Hampshire attempted to release Hale by military force. They notified the men under them. This notice soon reached the New Hampshire authorities. Page may have heard of the New Hampshire proclamation, for on December 12, he sent to Governor Chittenden a messenger, who arrived in Arlington two days later. It will be noted that, as in the case of the disturbances in the New York annexed territory, this trouble arose between the inhabitants of the annexed territory of New Hampshire. The citizens of Vermont were in no way responsible; hence a settlement more difficult for any official of Vermont. As it was not characteristic of Ira Allen to act as messenger in carrying letters that others wrote, and as he generally made his plans in advance of any action he took, writing out all the letters that it was necessary for those in authority to sign, the communications are given in full in this case. Elisha Payne had been in favor of annexing Vermont to New Hampshire and had hesitated some time in October before accepting the office of Lieutenant-General of Vermont.

The following letter to Major General Elisha Payne, Lieutenant-Governor, was dated Arlington, December 14.

I have received dispatches from William Page, Esq. Sheriff of Washington county, which give me to understand that there is a high probability that the government of New Hampshire are about taking coercive measures to compel the peaceable citizens of this state to submit to the laws and authority of New Hampshire. The sheriff further desires my special orders in matters relating to the premises, and as my remote situation renders it impracticable that I should have the knowledge of the particular occurrences which may

² *New Hampshire State Papers on Vermont Controversy*, p. 285; also *Vermont, Records of the Governor and Council* (Montpelier, 1873), p. 338.

take place should such an attempt be made [by] New Hampshire, therefore I can only give you several orders in the matter, viz: provided that New Hampshire reject the proposals of the Legislature of this state and insist upon hostile measures, you are hereby directed to call on such of the members of the Council and the Generals Fletcher and Olcott, and such of the field officers of the militia on the east side of the mountain as you may think proper, and after having consulted matters, if need be, you are directed to call on any or all of the militia of this state to the eastward of the range of Green Mountains to your assistance, and to assist the sheriff in carrying into execution the laws of this state and to defend its citizens against any insult; and provided New Hampshire makes an attack with an armed force, you are hereby ordered to repel force by force; and in the meantime you will use every means in your power consistent with the peace, happiness, or dignity of this state, to prevent the effusion of human blood, which at this time might be more or less injurious to the common cause of America, as well as attended with many other serious considerations, and which I pray God may never take place.

THOMAS CHITTENDEN *Capt. General* ¹

This letter was written to fall into the hands of the enemies of Vermont, to be forwarded to President Weare.

Ira Allen went to Charlestown and there conferred with Sheriff Page, who informed him of all that had happened, and mentioned the rumor that New Hampshire was about to raise a large force to rescue the prisoners. Allen at once made several copies of the letter to Payne

ostensibly to encourage the people in the east union to remain firm to Vermont, but found means for one copy to fall into the hands of a staunch friend to New Hampshire, who eagerly seized the prize, and sent it by express night and day to the Governor of New Hampshire. Col. Allen then proceeded to Exeter. On his way through the State, he found the people extremely enraged against Vermont, both on account of her supposed connexions with the British in Canada, and for extending her claims, so much to the injury of that State, that, in fact, very little stimulus would raise the people to a civil war, which was his duty and inclination, if possible, to prevent. These circumstances made him apprehensive it might be difficult to gain the necessary information. When he arrived, and being acquainted with the late Major General Fellows, who was Commandant of all the Militia of that State, and had been friendly to Vermont, Col. Allen, on his arrival, found means immediately to have a private interview with him, by which he learnt, that two days before the Court had determined to raise a sufficient military force to assist the

¹ Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 2, p. 339.

civil power to carry into effect the laws of the State to Connecticut River; that the day before a copy of Governor Chittenden's orders to Lieutenant Governor Payne had been delivered to Mr. Weare, purporting a determination to repel force by force; this had occasioned a delay in issuing said orders; for if the militia to the west of the Connecticut River were to cross and oppose the authority of New Hampshire, it would provoke a civil war. Under these circumstances, what further order the Court would take was yet undetermined. This interview was agreed to be kept a profound secret till all disputes were settled between the contending States.

Col. Allen waited on the President and Council, and delivered his credentials, but the President and Council received him coolly, appeared not inclined to make any stipulations whatever respecting Vermont. Indeed their countenance, &c. seemed to whisper, this is the man that has carried on the negotiations with the British in Canada, that produced Lord George Germain's instructions to Sir Henry Clinton, &c., purporting an intention of Vermont's being a British colony; he had before learned our secrets and profited thereby; he is a dangerous man, and we must unite and guard against him. No information could be obtained from any member of the Legislature, notwithstanding Mr. Allen was intimately acquainted with many of them.

While Colonel Allen was thus endeavoring to reconcile matters, General Enos and William Page, Esq., arrived with a letter from Lieutenant Governor Payne to President Weare, inclosing the copy of Governor Chittenden's orders to him, informing Mr. Weare that it was his wish to avoid the horrors of civil war, but before the people who had united with Vermont, and were under her protection, should be subjected by any hostile operation of New Hampshire, they would spiritedly oppose her, and that New Hampshire must be responsible for the consequences.

These gentlemen were authorized to assist Colonel Allen in his laudable endeavors to restore harmony. Mr. Page, who had been active in opposing the laws of New Hampshire, and lived on the east side of Connecticut River, was immediately arrested and confined in gaol, as might have been reasonably expected; thus, spirited measures were pursuing on all sides, while no negotiations could be entered into by the united exertions of the Agents of Vermont, nor could they learn what determination the Court had, or would probably come to: all was a profound secret.

In this situation, Colonel Allen engaged a lady to gain for him the requisite information, which she effected, and informed him of the time when the business would finally be discussed and determined in the general Court, by both houses in grand Committee.

When the Court convened on this subject, Colonel Allen went into the lobby, and began to write a memorial to the Legislature of New Hampshire. In the meantime he heard the debates, and that the Court determined on appointing an Agent to take the advice of Congress previous to any hostile measures. Colonel Allen took his

leave of General Enos and Mr. Page; on his return he wrote to Lieutenant-Governor Payne and the Members of Council on the east side of the mountain, requesting them to attend in Council at Arlington, to hear his report, and take such further steps as might be thought proper.¹

Upon Allen's arrival in Arlington, the Council assembled to hear his report. Agents were appointed to proceed to Congress. They were to start at once in order to arrive in Philadelphia as soon as the New Hampshire agents. Before the Council adjourned, Lieutenant-Governor Payne, Ethan Allen, Beza. Woodward, John Fassett, and Matthew Lyon were appointed to prepare a pamphlet, which was entitled 'The Present State of the Controversy Between the states of New York and New Hampshire on the One Part, and the State of Vermont on the other.'² Ethan Allen was supposed to be the author, but there are many passages that are similar to Ira Allen's writings. Ethan carried it to Hartford to the printers.

Considering Allen's sole responsibility and management of this business, it is more than probable that he wrote the very clever letter to the New Hampshire Assembly of December 21, delivered to that body by Roger Enos and Sheriff Page, as well as the one signed by Chittenden, which caused hostilities to be postponed. Diplomatically he ever bargained for more time and thus was able to circumvent each hostile movement. In all his negotiations the only occasions in which he resorted to force were when he accompanied Ethan and about one hundred Green Mountain Boys into Cumberland County in 1779 and arrested the leaders of the revolt, and again when he raised the force that marched against Gansevoort. Not a shot was fired, but it was necessary in both cases to demonstrate Vermont's power. Now he was going to Congress again, to pit his resourcefulness against those of the ablest men in New York and New Hampshire, for what seemed to be the last time. These men, in addition to argument, attempted, it is claimed, to persuade Congress to arrest him as a traitor for his intercourse with the British. Allen's personality and his calm, firm demeanor in dealing with Congress saved both

¹ Allen's *History of Vermont* (London, 1798), p. 204.

² Printed by Hudson & Goodwin, Hartford, 1782. Allen MSS., Secretary of State's Office, Vermont; also Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 2, p. 355.

himself and his cause. It was the climax of his strenuous services to Vermont during the critical year 1781; critical for the United States in the involved dangers inherent in the Vermont controversy as well as for Vermont herself.

CHAPTER X

CONGRESS, THE BRITISH, AND INTERNAL ENEMIES

1782

To comprehend fully the incidents narrated in this chapter it is necessary to give the text of an important letter written to General Washington November 14, 1781, the day of a special meeting of the Council. It is a long letter, written by Ira Allen. The Honorable E. P. Walton, editor of 'Records of the Governor and Council' and the Vermont Historical Society 'Collections' (1871), has commented upon it thus:

The style of the letter is unmistakably [Ira] Allen's. Compare this letter with Allen's statement of the same events in his history, and particularly with Allen's letter to Colonel Lee, written on the 8th of December, 1781, and the defense of the East and West Unions. This must have been written about the same time, since it was printed at Hartford Conn. in January 1782. Striking resemblances will be found, not only in grammatical construction and in sentences of the letters to Washington and Lee, but in entire paragraphs of the Washington letter and the defense. Ethan was of the committee on the Defence, but Ethan and Ira were Co-workers.¹

The letter was sent to Congress by Washington and read to that body. It brought forth a reply from him that had a far-reaching effect on Vermont. The action taken by the Vermont Assembly on the advice given by Washington in his letter, undoubtedly kept Vermont out of the Union for nine years. The text of this letter follows:

STATE OF VERMONT

ARLINGTON, *Novem^r 14th 1781*

SIR:— The peculiar situation and circumstances with which this state for several years last past has been attended, induces me to address your Excellency on a subject which nearly concerns her interest, and may have its influence on the Common Cause of the States of America.

Placing the highest confidence in your Excellency's Patriotism in the cause of Liberty, and disposition to do equal Right and Justice to every part of America (who have by arms supported their rights against the lawless Power of Great Britain) I herein transmit the measures by which this State has conducted her Policy for the Secur-

¹ Vermont Historical Society, *Collections*, vol. 2, p. 201.

ity of its Frontiers; and as the Design and End of it were set on foot, and have ever since been prosecuted on an Honorable Principle as the Consequences will fully evince) I do it with full Confidence that your Excellency will not improve it to the Disadvantage of this truly patriotic, suffering State. Although the substance has already been communicated by Capt. Ezra Heacock, employed by Major-General Lincoln, by your Excellency's particular Direction, and who arrived here with the Resolutions of Congress of the seventh day of August last, which appeared in some measure favorable to this State.

I then disclosed to him the measures this State had adopted for her Security, which I make no Doubt has by him been delivered your Excellency — And though I do not hesitate that you are well satisfied of the real Attachment of the Government of this State to the Common Cause, . . . I esteem it nevertheless my Duty to this State, and the Common Cause at large, to lay before your Excellency in writing, the heretofore critical situation of this State, and the Management of its Policy, that it may operate in your Excellency's Mind as a Barrier against the clamorous Aspersions of its numerous (and in many instances potent) Adversaries.

It is the Misfortune of this State to join on the Province of Quebec, and the waters of the Lake Champlain, which affords an easy Passage for the Enemy to make a Descent with a formidable Army on its Frontiers, and into the Neighborhood of the several States of New York New Hampshire and Massachusetts, who have severally laid claims in part or in whole to this State, and who have used every Art which they could devise to divide her Citizens, to set Congress against her, and finally to overturn the Government, and share its Territory among them.

The repeated Applications of this State to the Congress of the United States, to be admitted into the federal union with them, upon the liberal Principles of paying a just Proportion of the Expenses of the War with Great Britain, have been rejected, and Resolutions passed *ex parte* tending to create Schisms in the State, and thereby embarrass its Efforts in raising Men and Money for the Defense of her Frontiers, and discountenancing the very Existence of the State. Every Article belonging to the United States, even to Pickaxes and Spades, has been by Continental Commissaries ordered out of this State, at a time when she was erecting a Line of Forts in her Frontiers, at the same Time the State of New York evacuated the Post of Skenesborough for the avowed Purpose of exposing this State to the Ravages of the Common Enemy.

The British officers in New York, being acquainted with the Public Disputes between this and the claiming States, and between Congress and this State, made Overtures to General Allen in a Letter, projecting that Vermont should be a Colony under the Crown of England, endeavouring at the same time, to draw the People of Vermont into their Interest. The same Day General Allen recd this Letter (which was in August 1780,) he laid it before me and my Council, who under the critical Circumstances of the State,

advised that no Answer, either oral or written should be returned, and that the Letter should be safely deposited till further Consideration, to which General Allen consented. A few Months after, he recd a second Letter from the Enemy, and the same Council advised that General Allen should send both Letters to Congress inclosed in a Letter (under his signature) which he did, in hopes that Congress would admit Vermont into the Union, but they had not the desired effect.

In the Fall of the Year 1780, the British made a Descent up the Lake Champlain, and captured the Forts George and Anne, and appeared in Force on the Lake. This occasioned the Militia of this State, most generally to go forth to defend it. Thus the Militia were encamped against the Enemy near Six Weeks, when General Allen received a Flag from them, with an Answer to my Letter dated the preceding July to General Haldimand, on the subject of an Exchange of Prisoners. This Flag delivered a Letter to General Allen from the Commanding Officer of the Enemy, who were then at Crown Point, with Proposals for a Truce with the State of Vermont, during the negotiating the Exchange of Prisoners. General Allen sent back a Flag of his to the Commanding Officer of the British, agreeing to the Truce, provided he would extend the same to the Frontier Posts of the State of New York, which was complied with, and a Truce took place, which lasted about Three Weeks. It was chiefly owing to the Military Prowess of the Militia of this State, and the including the State of New York in the Truce, that Albany and Schenectady did not fall a Sacrifice to the Ambition of the Enemy that Campaign.

Previous to the retiring of the Enemy into Winter Quarters, Colonel Allen and Major Fay were Commissioned to negotiate the proposed Exchange of Prisoners. They proceeded so far as to treat with the British Commissioners on the subject of their Mission, during which Time they were interchangeably entertained with Politics, which they treated in an affable Manner as I have been told. But no Cartel was settled, and the Campaign ended without the Effusion of Blood.

The Cabinet Council, in the Course of the succeeding Winter, finding that the Enemy in Canada were about seven thousand strong, and that Vermont must needs be their Object the ensuing Campaign, circular Letters were therefore sent from the supreme Executive Authority of this State to the claiming States before mentioned, demanding of them to relinquish their Claims to this State, and inviting them to join in a Solid Union and Confederation against the Common Enemy. Letters were also sent to your Excellency and to the States of Connecticut and Rhode Island, every one of these Letters stated the extreme Circumstances of this State, and implored their Aid and Alliance giving them withal to understand, that it was out of the Power of this State, to lay in Magazines, and support a Body of Men sufficient to defend this State against the Force of the Enemy — But to those Letters there has been no manner of Answer returned.

From all which it appeared that this State was devoted to Destruction by the Sword of the Common Enemy. It appeared to be the more unjustifiable that the State of Vermont should be thus forsok, inasmuch as her citizens struck the first offensive Blow against British Usurpation, by putting the Continent in possession of Ticonderoga, and more than two hundred Pieces of Cannon; with Crown Point, St. Johns, and all Lake Champlain; their Exertions in defeating General Carleton in his Attempt to raise the seige of St. Johns; their assisting in penetrating Canada; their valor in the Battles of Hubbardton, Bennington and at the Landing near Ticonderoga; assisting in the Capture of General Burgoyne; and by being the principal Barrier against the Power of the Enemy in Canada ever since.

That the Citizens of this State have by Nature, an equal Right to Liberty and Independency with the Citizens of America in general, cannot be disputed; and that they have merited it from the United States by their Exertions with them in bringing about the present Glorious Revolution, is as evident a Truth as any other which respects the acquired Right of any Community.

Generosity, Merit and Gratitude all conspire in vindicating the Independence of Vermont. But notwithstanding the Arguments, which have been exhibited in sundry Pamphlets in favor of Vermont, which have been abundantly satisfactory to the impartial Part of Mankind, it has been in the Power of her external Enemies to deprive her of Union, Confederation, or any equal Advantage in defending themselves against the Common Enemy.

The winter being thus spent in fruitless Attempts to form Alliances, and no Advantages were procured in favor of this State, except that Massachusetts withdrew her claim, on condition that the United States would concede the Independence of Vermont: but that if they would not, they would have *their* snack at the South End of its Territory. Still New York and New Hampshire were strenuously opposed to the Independence of Vermont; and every Stratagem in their Power to divide and subdivide her Citizens, were exerted, imagining that their Influence in Congress and the certain Destruction (as they supposed) of the Inhabitants of this State by the Common Enemy, could not fail of finally accomplishing their wishes.

In this Juncture of Affairs, the Cabinet of Vermont projected the Extension of their Claim of Jurisdiction upon the States of New Hampshire and New York, as well to quiet some of their own internal Divisions, occasioned by the Machinations of those two Governments, as to make them experience the Evils of intestine Broils, and strengthen this State against Insult. The Legislature accordingly, extended their Jurisdiction to the Eastward of Connecticut River to the old Mason Line, and to the Westward to Hudson's River. But in the Articles of Union, referred the Determination of the Boundary Lines of Vermont and the respective claiming States, to the final Decision of Congress, or such other Tribunal as might be

mutually agreed on by the contending Governments. These were the principal Political Movements of the last winter.

The last Campaign opening with a Gloomy Aspect to the discerning Citizens of this State, being destitute of adequate Resources, and without any Alliance; and that from its local Situation to Canada, obliged to encounter the whole Force of that Province, or give up its Claim to Independence and run away. Vermont being thus drove to Desperation by the injustice of those who should have been her Friends, was obliged to adopt Policy in the Room of Power:

And on the first Day of May last, Colonel Ira Allen was sent to Canada, to further negotiate the Business of the Exchange of Prisoners, who agreed on a Time, Place, and other Particulars relating to the Exchange. While he was transacting that Business, he was treated with great politeness and entertained with political Matters, which Necessity obliged him to Humor, in that easy Manner that might serve the Interest of this State in its extreme critical Situation, and that its Consequences might not be injurious to the United States. The Plan succeeded, the Frontiers of this State were not invaded, and Lord George Germain's Letter wrought upon Congress and procured that from them, which the public Virtue of this People could not.

In the month of July last, Major Joseph Fay was sent to the British Shipping on Lake Champlain, who completed an Exchange of a Number of Prisoners, who were delivered at Skenesborough in September last; at which Time and Place, Colonel Allen and Major Fay had a Conference with the British Commissioners. And no Damage as yet had accrued to this, or the United States from this quarter.

And in the month of October last, the Enemy appeared in Force at Crown Point and Ticonderoga; but were manoeuvred out of their Expedition; and are returned into Winter Quarters in Canada, with great Safety; that it might be fulfilled which was spoken by the prophet; 'I will put my Hook in their Nose and turn them back by the way which they came, and they shall not come into this City (alias Vermont) saith the Lord.'

It remains that I congratulate your Excellency, and participate with you in the Joy of your capturing the haughty Cornwallis and his Army; and assure your Excellency that there are no Gentlemen in America, who enjoy the Glorious Victory more than the Gentlemen of this State, and him who has the honor to subscribe himself your Excellency's devoted and most obedient humble servant.*

THOMAS CHITTENDEN

This letter was carried to Philadelphia and delivered to Washington by Timothy Brownson. Ira Allen loaned his horse for the purpose, the animal being badly lamed during the

* *Washington Papers*, Library of Congress; also Vermont Historical Society, *Collections*, vol. 2, p. 199; also Wilbur Photostats, University of Vermont.

journey.¹ Brownson must have arrived about the time Washington received a letter from Stark, telling him that 'unless something decisive is done . . . this winter . . . we may have everything to fear from them [Vermont] that they are capable of. This may be considered as strange language from me, who have ever been considered a friend to Vermont. I have been promised every thing . . . [by them] they perform nothing.'² Stark had written to Chittenden to inform him of the killing of Sergeant Tupper³ and Chittenden had replied that he had sent all the information to Washington. Stark wrote Washington, 'if he [Chittenden] sent you the original, [letter from St. Leger] it must be satisfactory; otherwise the case will be doubtful in my opinion. They dare not produce the original.'⁴

Washington, on the advice of his friends and some members of Congress, replied to Chittenden's letter January 1, 1782,⁵ and on January 8, sent it to General Schuyler to read and then forward, writing, 'I would wish you to keep the purport of this to yourself, as I do not wish to have my sentiments publicly known.'⁶

Washington's messenger to Schuyler may have passed Ira Allen and Jonas Fay on their way to Philadelphia, for they, with Abel Curtis and Elisha Payne, were appointed agents to attend Congress by the Council on January 10.⁷ Payne did not go, but Allen and Fay left at once, Curtis following a few days later. This mission of Allen's to Philadelphia was about the most dangerous to him of any previously made and, could he have known of Washington's letter, he might not have undertaken it. It was one of those unfortunate circumstances, that he in no way could have foreseen or controlled, and unfortunately was brought about by the letter that he himself had so carefully composed.

While Allen and Fay were proceeding on their journey, Congress was 'much occupied and perplexed with the case of

¹ Vermont (Force *Transcripts*), Library of Congress.

² Caleb Stark, *Memoirs and Official Correspondence of John Stark* (Concord, 1860), p. 215.

³ Vermont Historical Society, *Collections*, vol. 2, p. 197.

⁴ Caleb Stark, *Memoirs and Official Correspondence of John Stark* (Concord, 1860), p. 303.

⁵ Sparks, *Life and Writings of Washington* (Boston, 1834-37), vol. 8, p. 220; Vermont Historical Society, *Collections*, vol. 2, p. 228.

⁶ *Schuyler Letters*, New York Public Library.

⁷ Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 2, p. 132.

Vermont.' ¹ Conditions were becoming grave. Washington was being advised almost daily about the happenings in Vermont. Influential men were writing that the matter must be settled. Congress was 'much divided and could not agree to any one thing.' ² Weare thought Vermont would willingly give up her claim on the east side of Connecticut River if she could be admitted as a State.³

Early in January 'A state of the Grevances and dificulties that the People of the Grants Labour under now under the Authority of Vermont, which we the Committee of Brattleborough, Guilford & Halifax, in behalf of the People, wish to have laid before the State of New York and if need be, before Congress,' was taken to Governor Clinton of New York by Seth Smith. The document of seven folio pages was carefully prepared. It begins:

It is our opinion, that the leaders of the State of Vermont, have, without the Consent of the People at large, or the advice of the Assembly of the State, Entered into a Treaty with the enemys of the United States. . . . That no faith or Covenant will bind those leaders.

It accused the leaders of annexing the New Hampshire towns, merely to serve 'a particular purpose' and then cast them off; Moses Robinson gave them this impression. It stated that the New York territory was annexed in order that the towns on both sides of the Connecticut River could not control the State and depose the present leaders. That

Matthew Lyon declared in Public Assembly with tears, and of which he declared himself ashamed, and also declared that he in the name of the Governor and Council had been frequently sent to those people with all kind of persuasive arguments, promising them to protect and defend them from the State of New York, and promising them many other advantages when at the same time they meant only to deceive them.

It then complained of the board of confiscation and affirmed that the leaders had sold the Tory estates

at a small part of their true value, and even in that way they have raised a sum not less than Twenty or Twenty five thousand pounds hard money, and will not pay a farthing to any of the creditors to such estates, nor will they render an account to the Assembly.

¹ Hunt, *Writings of Madison* (New York, 1900), vol. 1, p. 109.

² *Weare Letters*, 1780-1824, p. 62, Massachusetts Historical Society.

³ *Ibid.*, p. 65.

It accused them of granting

Eighty Townships of land . . . Solemnly Granted many years before by the State of New York . . . and for those grants there has been Thirty or forty Thousand pounds hard money paid into the hands of the Governor and Treasurer, but they pay out nothing but paper of their own, made for that very purpose and will render no account of such hard money.

It claimed that the people were dissatisfied and many refuse to pay taxes.

That the finances of the State are entirely run down, they have no more lands to grant, and no more money can be raised . . . nor can they raise any more men to serve the State on the States credit. That the leaders . . . have ever been averse to have the Law open for the trial of the Title of Land.

They expressed the desire to remain loyal to New York and hoped for their protection. They stated the policy of Vermont is known to only a few of the leaders. As to the leaders, they claimed that their treaty with the British in Canada was to prevent an invasion of their frontiers:

We might be ready enough to believe them in this particular but we conceive that Congress, and we, have more reason to believe, that they are endeavoring to play the same card on Congress, that they played off upon the two unions (and that they say they have been playing off on the British) than to believe the reverse, and that they only mean to deceive Congress, that they may carry on their Treaty with the enemy the more securely:

That it is our opinion that the leaders of a people that will make use of every art and deception to carry their own policy into execution, are dangerous not only to the People of the Grants who are to be under their immediate Government, but to the United States in General, Therefore we conclude that Congress never will, by any determination of theirs, deliver up the Government of this people to a set of designing secret deceitfull leaders. That the lands Granted by the State of Vermont, except a Trifle, has all been solemnly Granted by the State of New York many years before or lies on the mountains and was esteemed not worth the granting fees. Therefore the lands Granted by this State to Gentlemen of importance abroad and if they say true to some of the members of Congress in order to make friends and bribe Congress as the leaders say they have done and have a Majority of Congress in their favour (on which they much plume themselves) is under those Circumstances, that is either good for nothing, or has been before granted, and therefore if this state is received into the Confederation and a Committee is Called out from Congress to settle the matter of interfering grants agreeable to the

Articles of Confederation, there is no question but the determination will be in favour of the prior grant. Then all our friends that purchased will find themselves deceived, and of course will become our enemys; that we shall make ourselves dispised and hated by all our neighbors.

It then accused the Assembly of granting a township at one half the usual fees, accepting hard money which they divided amongst themselves; 'it amounted to about forty shillings a man, about one fifth part of their debenture.' They believed it was their duty to lay all these matters before Congress,

which we conceive is big with the Ruine and Destruction of the peace prosperity and happiness of a great and growing people, the greatest number of which people we are well assured are with us in this sentiment. . . . That it fully appears to be the determination of those people and they declare it to be so, to rip up all the Grants made by the State of New York. They are acting over the same thing that they complained of against the Government of New York and Rose up to fighting and if allowed to go on and be a seperate state, they will undoubtedly endeavour to support their own grants, against the grants made by New York even if a determination was had by a commission from Congress in favour of New York Grantees. That we Conceive there can be no way to insure peace and prosperity to the people of those Grants, but to put an end to their present policy and Government. . . . If suffered to go on in the way it is now going, no one can tell where it will end, But we conceive it must end in Riots, tumults disorder and Confusion and most probably in blodshed among ourselves.¹

Smith went first to Poughkeepsie, where he saw Governor Clinton, who approved of his taking the petition to Congress. There is evidence that Clinton agreed to pay all his expenses, for, on January 21, he gave Smith a letter of introduction to William Floyd, one of the delegates from New York in Congress, and wrote:

You will be able, I presume, from the temper of Congress, immediately to determine what effect Mr. Smith's representation is likely to have, and if it should not appear probable that any measures will be taken in consequence of it, I wish he may not be detained in Philadelphia a single hour longer than is necessary for you to prepare your dispatches.²

¹ New York Historical Society; also Wilbur Photostats, University of Vermont; also Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 2, p. 372.

² *George Clinton Papers*, New York State Library; *Journals of Congress*, February 19 to March 1, 1782.

Floyd at once, or on January 28, laid the petition before Congress, who referred it to a special committee. Smith did not wait to learn what effect it had, but returned to Poughkeepsie.

It was the most vicious statement ever made against Governor Chittenden, Ira Allen, and the few leaders in Vermont. The charge that those leaders had boasted that they had bribed members of Congress with lands, and their further charge that in most cases the land was worthless or had been previously granted by New York, was intended to discredit them in Congress. This petition was being considered by Congress when Allen and Fay arrived in Philadelphia the day after it was laid before that body.

These serious charges, when endorsed by New York's delegates in Congress, were sufficient to cause Ira Allen some anxiety, but when one is reminded that Congress, on April 22, 1778, had resolved that any men or body of men who should presume to make any separate or partial convention or agreement with commissioners under the Crown of Great Britain, or any of them, ought to be considered and treated as open and avowed enemies to the United States,¹ one may well marvel at Allen's courage in appearing before them. On January 30, Allen and Fay addressed Congress stating that, when the other agent, Curtis, arrived, they would lay their papers before Congress. On February 5, Curtis not appearing, their papers were presented to Congress.

It is hardly possible that Ira Allen and Fay possessed a copy of 'The Present State of the Controversy between the States of New York and New Hampshire on the one part, and the State of Vermont on the other,' written by Ethan Allen and Ira Allen and printed in Hartford in January, 1782. There is a document, evidently presented by them at this time to the committee of Congress, of which no printed copy can be found, that begins in the language of the above-mentioned writing, but which gives fuller details. It states that the Vermont Legislature, at its session in October, could not comply with the demand of Congress that the unions be dissolved, because Vermont 'had pledged the faith of government to the inhabitants of those unions whereby they became incorporated in the same political society and compose a respectable

¹ *Weare Papers*, vol. 5, p. 122, New Hampshire Historical Society.

part of its legislature, therefore she cannot set them aside on any other condition than those [contained in the articles of union] without a manifest violation of public faith.' ¹

On February 7, Allen and Fay, realizing that there were many new members of Congress who were not familiar with Vermont's status, presented a memorial to Congress. It related how the Government had been conducted by Committees of Safety from July, 1764, to March, 1778, 'when it emerged into a Constitutional Legislature.' How soon after the battle of Lexington they 'took an offensive part against the British' and had continued to support the independence of the United States.

That the existance of the State of Vermont (upon revolution principles) is at least coeval with any other of the free states of America. . . . We therefore take this method to express our wishes, and do in behalf of the said State of Vermont solicit and most earnestly request that the United States in Congress assembled would recognize her independence, admit her into the federal Union . . . and to a seat in Congress — that she may yield and receive mutual aid in the general defence and obtain an equitable settlement of her boundary lines.²

There was no refutation of the charges contained in the Smith memorial. They ignored it and made their memorial short; but kept before Congress the facts of what Vermont had done and was willing to do, and therefore she should be admitted to the Union. Curtis finally arrived and, on February 12, another memorial dealing with the annexing of New Hampshire and New York territory was presented to Congress.³ To refute the argument that must have been advanced, that Congress was bound to recognize the boundaries of the States as established by the King previous to the Revolution, this memorial told how Philip Skeen was supposed to have established a new government in 1774 which included Vermont and northern New York. The Vermont agents met the members of Congress and appeared before the committee of thirteen appointed by that body to adjust matters in dispute. They informed the committee of recent occurrences in Vermont, referred them to the offer they had made to Congress the

¹ *Papers of the Continental Congress*, No. 40, 2, folio 211.

² *Ibid.*, folio 227.

³ *Ibid.*, folio 231.

previous August, and declared that, if Congress would admit Vermont to the Union, the boundary lines would be submitted as agreed in the articles when the unions were formed. The committee sat almost every day for a week. 'Allen has given us long narratives of his negotiations . . . but palliates . . . and some are inclined to believe him,'¹ writes Samuel Livermore, chairman of the committee. Allen and Fay sent in a communication almost every day, twice requesting to see all papers sent in by New York or New Hampshire since the preceding August.² Congress refused this request. In a letter to General Schuyler, dated Philadelphia, February 13, Robert R. Livingston, who was so largely interested in lands in Vermont that he did not care to appear before the committee of Congress respecting New York's controversy with the latter State, wrote that the committee of Congress had received so much evidence of Vermont treating with the enemy that they were greatly alarmed.

The agents for Vermont . . . who are daily heard by the Committee, have endeavored to explain away this connection, which they do not deny, by declaring that their object was merely to temporize with the enemy, and prevent the distress of their country — many members of the committee seem disposed to admit this plea — more totally disbelieve it. Those who are most their friends insist upon their relinquishing their new claim, their agents here resolve to maintain it, so that I have very great doubts about their acquiescence in the Resolutions of August last. If, however Congress can come to any Resolution upon the subject (which I very much doubt from the variety of sentiment that prevails) it will be to give them a short day, by which they must close with the resolutions of August last upon pain of having the arms of the United States turned against them.

He added this postscript:

This moment I am informed that the *committee* upon the Vermont business have determined as I above supposed they would, with this addition that if the terms are not accepted in one month from the time of receiving the resolutions the green mountains are to be the division between us [New York] and New Hampshire and the General, [Washington] is, without further orders, to reduce them to obedience.³

¹ *Weare Letters, 1780-1824*, 013-24, p. 66, Massachusetts Historical Society.

² *Papers of the Continental Congress*, No. 40, 2, folio 257; also Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 2, p. 371.

³ *Schuyler Papers*, New York Public Library.

Allen, Fay, and Curtis, on February 21, addressed a letter to Congress stating:

We are not urgent for a hasty determination relative to . . . Vermont. We however cannot doubt but, in due time, that state will be admitted as an additional gem in that Crown which of late, rising from obscurity, has been the peculiar favorite of Heaven and become the astonishment of the world. . . . As it is probable another Campaign is approaching, and as the legislature of Vermont expected our return previous to completing the estimates for the current year, it is necessary we should soon take our leave of this city, . . . and persuaded at the same time that no measures destructive to the peace and tranquility of Vermont will be pursued in the absence of the delegates — that we have the fullest reason to believe the most vigorous exertions will be made by the legislature for a spirited defence of her extensive frontiers and that by the interposition of Heaven and the friendly aid of the Congress she will be able to repel any force which the enemy may send against her. In the meantime every prudent measure will be pursued to cultivate peace and harmony with her neighboring states which may be conducive to the tranquility of the rising empire of America.¹

There was no apology, no complaint; it was an optimistic letter. They took occasion to remind Congress that there was a possibility of further fighting and that they were going home to prepare to do their part and, as Vermont was the frontier for all of New England, it might be no inconsiderable part. They left the next day for home. Their long absence caused a rumor to circulate in Vermont that they had been arrested by Congress and confined in jail.² On March 1, after the departure of Vermont's agents and before Congress was informed of the action of the Vermont Legislature, Congress took up the report of their committee. One resolution of the committee was that in case Vermont would give up her annexed territory within one month, she should be recognized as an independent State. Massachusetts, Rhode Island, Connecticut, and New Jersey voted for this resolution, but it was defeated, as was the entire report of the committee.³ Livermore wrote on March 2, to Weare:

The debate will be taken up again in a few days; but what will be done I know not. I fear some would sacrifice the peace of New

¹ *Papers of the Continental Congress*, No. 40, 2, folio 261; also Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 2, p. 373; also Wilbur Photographs, University of Vermont.

² *Weare Papers*, vol. 10, p. 120, New Hampshire Historical Society.

³ *Journal of Congress* (L.C. ed.) of given date.

Hampshire and New York to gratify their darling Vermont; others will never agree to any terms that suppose the existence of their independence.¹

The mission of Ira Allen, Fay, and Curtis to Congress had been a success to the extent that they had prevented any action against Vermont. The work of perfecting the unions, annexing portions of New Hampshire and New York, had been done for the sole purpose of making the two States relinquish their claims on Vermont. Both President Weare, of New Hampshire, and Governor Clinton, of New York, were heartily sick of the controversy. New York's fight was being conducted by Duane and others interested in Vermont lands under New York patents; and New Hampshire was not carrying on a strenuous contest. The outlook for the new State seemed most encouraging, but a great disappointment came to the Vermont agents on their way homeward. When Allen, Fay, and Curtis arrived at Fishkill-on-the-Hudson, 'they met the unwelcome tidings that the Legislature [of Vermont] had dissolved her unions; and proceeding to Bennington, they found that the Legislature had adjourned and the members had left town the day before; that the Governor and Council were attending to business at Shaftsbury, . . . making out credentials and instructions to the Delegates appointed by the Legislature to negotiate the admission of Vermont into the federal union.'² It can be imagined that some bitter words were spoken; and this may have been the first clash between Ira Allen and Thomas Chittenden.

It will be remembered that William Page, one of the Vermont agents to the New Hampshire Assembly to settle the boundary lines, was arrested in December. On January 12, from the 'Exeter gaol' he issued a printed four-page folio giving the proceedings of the Legislature of Vermont from the 16th to the 19th of October, 1781, the commission appointing Roger Enos and William Page commissioners to assist Ira Allen in settling the boundary lines with New Hampshire, the memorial of Jonas Fay, Ira Allen, and Beza. Woodward to Congress on August 18, 1781, and Lieutenant-Governor Payne's letter to President Meshech Weare of December 21, 1781. These were followed by an address 'To the Public' by

¹ *Weare Papers*, vol. 10, p. 124, New Hampshire Historical Society.

² Allen's *History of Vermont* (London, 1798), p. 214.

Page, in which he recited what led to forming the unions, why the people felt they were acting within their rights, and how the resolution of Congress demanded that Vermont dissolve these unions before Congress would recognize her independence and admit her as a State. 'To what does this amount? Nothing but a Demand of what was not in their Power to comply with, without violating their most solemn Compact, as Congress had just been informed by our said Delegates.'¹ It was a strong argument and was circulated throughout New Hampshire and Vermont previous to the meeting of the Vermont Legislature in February. The Legislature was to have met on the last day in January, but no quorum could be obtained until February 11, and then most of the members from the New Hampshire side of the Connecticut River were absent. To persuade members in Vermont, along the Connecticut River, to vote to dissolve the unions, it was deemed necessary to appoint Paul Spooner one of the delegates to Congress and to pay hard money to many others. Lieutenant-Governor Payne presided at some of the joint sessions. It was the first Assembly held in the State that Ira Allen did not attend and direct, and its failure as a whole emphasizes the ability he had shown in previously directing that body.

Isaac Tichenor was a member from Bennington and took an active part in the proceedings. He was a politician seeking office and managed to hold an office the rest of his life. Like most politicians, he sought popularity by discrediting the most influential man in the State. Members were informed Ira Allen had too many offices, and Tichenor got a resolution passed appointing a committee of three to prepare a bill 'to put a proper check upon the treasurer.' He was on the committee to arrange the business of the House. When the committee's report was read and accepted, it provided among other things that the 'Surveyor General shall lay before the house a survey of the state as far as made, all townships granted and land ungranted.' The Treasurer was ordered to 'give an account of all paper money received and what has been done with it,' and 'To make provision to pay the soldiers.' The report called on the Treasurer for a statement of all money received since the previous October and 'how has it

¹ Essex Institute, Salem, Massachusetts; also Wilbur Photostats, University of Vermont.

been disposed of.' They knew that Ira Allen was in Philadelphia on business for the State. John Knickerbacker, his clerk, may have refused any information, for the day following these resolutions a member was appointed to 'desire the treasurer to make an immediate answer.' It was then resolved that a committee of five call on the Treasurer and request him to settle his accounts immediately. The committee on paper currency reported and was dismissed. The plan to coerce the Treasurer's clerk failed. A committee of three was appointed to take granting fees that had formerly been paid to the Governor or Treasurer. Chandler, from the east side of the range, requested the Governor to produce a copy of the letter written to Washington November 14, 1781, and also George Washington's reply, to which Governor Chittenden complied. Washington's reply seemed conclusive to the Legislature, but developments proved their mistake:

George Washington to Thomas Chittenden

PHILADELPHIA, 1 January, 1782

SIR: — I received your favor of the 14th of November, by Mr. Brownson. You cannot be at a loss to know why I have not heretofore, and why I cannot now, address you in your public character, or answer you in mine; but the confidence, which you have been pleased to repose in me, gives me an opportunity of offering you my sentiments, as an individual wishing most ardently to see the peace and union of his country preserved, and the just rights of the people of every part of it fully and firmly established. It is not my business, neither do I think it necessary now, to discuss the origin of the right of a number of inhabitants to that tract of country, formerly distinguished by the name of New Hampshire Grants, and now known by the name of Vermont. I will take it for granted that their right was good, because Congress by their resolve of the 7th of August imply it, and by that of the 21st are willing fully to confirm it, provided the new state is confined to certain prescribed bounds. It appears therefore to me, that the dispute of boundary is the only one which exists, and that, this being removed, all further difficulties would be removed also, and the matter terminated to the satisfaction of all parties. Now I would ask you candidly whether the claim of the people of Vermont was not for a long time confined solely, or very nearly, to that tract of country which is described in the resolve of Congress of the 21st of August last, and whether, agreeably to the tenor of your own letter to me, the late extension of your claim upon New Hampshire and New York was not more of a political manœuver, than one in which you conceived yourselves justifiable. If my first question be answered in the affirmative, it certainly bars your new claim; and, if my second be well founded, your end is

answered, and you have nothing to do but withdraw your jurisdiction to your old limits, and obtain an acknowledgment of independence and sovereignty under the resolve of the 21st of August, for so much territory as does not interfere with the ancient established boundaries of New York, New Hampshire, and Massachusetts. I persuade myself you will see and acquiesce in the reason, the justice, and indeed the necessity of such a decision. You must consider, sir, that the point now in dispute is of the utmost political importance to the future union and peace of this great country. The State of Vermont, if acknowledged, will be the first new one admitted into the confederacy, and, if suffered to encroach upon the ancient established boundaries of adjacent ones, will serve as a precedent for others, which it may hereafter be expedient to set off, to make the same unjustifiable demands. Thus, in my private opinion, while it behooves the delegates of the states now confederated to do ample justice to a body of people sufficiently respectable by their numbers, and entitled by other claims to be admitted into that confederation, it becomes them also to attend to the interests of their constituents, and see, that under the appearance of justice to one, they do not materially injure the rights of others. I am apt to think this is the prevailing opinion of Congress, and that your late extension of claim has, upon the principles I have above mentioned, rather diminished than increased the number of your friends, and that, if such extension should be persisted in, it will be made a common cause, and not considered as only affecting the rights of the states immediately interested in the loss of territory, a loss of too serious a nature not to claim the attention of any people. There is no calamity within the compass of my foresight, which is more to be dreaded, than a necessity of coercion on the part of congress; and consequently every endeavor should be used to prevent the execution of so disagreeable a measure. It must involve the ruin of that state against which the resentment of the others is pointed.

I will only add a few words upon the subject of the negotiations, which have been carried on between you and the enemy in Canada and in New York. I will take it for granted, as you assert it, that they were so far innocent, that there never was any serious intention of joining Great Britain in their attempts to subjugate your country; but it has this certain bad tendency; it has served to give some ground to that delusive opinion of the enemy, upon which they in a great measure found their hopes of success. They have numerous friends among us, who only want a proper opportunity to show themselves openly, and that internal disputes and feuds will soon break us in pieces; at the same time the seeds of distrust and jealousy are scattered among ourselves by a conduct of this kind. If you are sincere in your professions, there will be additional motives for accepting the terms, which have been offered, and which appear to me equitable, and thereby convincing the common enemy that all their expectations of disunion are vain, and that they have been worsted in the use of their own weapon, — deception.

As you unbosomed yourself to me, I thought I had the greater right of speaking my sentiments openly and candidly to you. I have done so and if they should produce the effects which I sincerely wish, that of an honorable and amicable adjustment of a matter, which, if carried to hostile lengths, may destroy the future happiness of my country, I shall have attained my end, while the enemy will be defeated in theirs.

The bill to relinquish that portion of the territory of New Hampshire and New York that had been annexed to Vermont, to which reference already has been made, was debated for ten days in the Assembly and was passed on February 23. It was a dishonorable act, breaking as it did agreements made with those towns that had joined Vermont. The advocates of the measure reasoned that Congress had established the boundary lines of Vermont in their resolutions of the 7th and 21st of August, and according to the articles of union, 'Congress should consider and determine the Boundary lines of this state,' and that they were now justified in dissolving the unions. Isaac Tichenor made the motion to dissolve and was the leader in the movement. Tichenor, Moses Robinson, and Paul Spooner were elected delegates to Congress and afterward Jonas Fay was added. If Vermont was admitted as a State they were to take their seats in Congress. They were ordered to proceed to Philadelphia without delay. None of these men, with the exception of Fay, had ever made one personal sacrifice for Vermont and their careful attention to their own welfare was shown by the vote of the Assembly that they should be furnished with one hundred pounds hard money. On the same day the Assembly granted land to almost every one present. Finally the committee reported that it did not want to refuse any one, but could not make any more grants. The Assembly, believing that when Robinson, Tichenor, Spooner, and Fay reached Philadelphia, Vermont would at once be admitted to the Union, tried, apparently, to grant every acre of land in the State before Congress could act.

The fee committee was instructed to receive only hard money. 'Give the Connecticut line officers time, but, if they do not pay, grant the land to those that will.' The committee was authorized to receive all pay-table orders, paymasters' due bills, orders from General Assembly, Council, and Superior Court, and all other proper orders on the Treasury, which

orders and receipts should be delivered from time to time to the Treasurer, taking his receipt for the amount of the same in money.

The Assembly tried to take all the power from the Council and from the Treasurer. It was 'Resolved that the treasurer be . . . directed to lay by for the delegates to Congress £100 and that nextly to pay Genl. Olcott an order issued by this house and then to pay out to the members of Council and Assembly and the several officers of both houses who are not in debt to the state one half of the present debenture. . . . Committee of three to enquire how much *hard* money is in the treasury.'

An act was passed directing that the paper currency issued by the State should cease to be a legal tender after June 1, next. It was 'Resolved that the Secretary be and is hereby directed to leave a blank in the record in order to record such laws as are mislaid and cannot at present be found and to record from printed copies where he is not possessed of the original acts and when acts have been printed to record them although the titles of them may not be entered on the journals as having been passed by the General Assembly.' Such a measure indicates the manner in which this session was conducted. An act was passed ordering the Treasurer to turn over all State money to be destroyed. Another act passed provided for an annual statement by the Treasurer. Tichenor, desiring to discredit Allen with the people, claimed that he, as one of the auditing committee, could not obtain a settlement with the Treasurer. Tichenor, however, as assistant commissary in the Continental Army, had purchased supplies in and around Bennington, and his commission, in gold, from June, 1778, to December 31, 1779, was £2888. His chief, General Cuyler, in Albany, urged him to send in his accounts, but could get no response. He had received no report from him since May, 1779. He finally wrote that the 'Legislature [of New York] ask for it, do not fail me.'

A committee, on February 28, reported that 'there was £369 in hard money in the treasury. It will take £226-17-10 to pay one third the debenture of Council and Assembly, not reckoning this days pay, and when £100 is laid by for the agents to Congress, it leaves £42-18-2.' The committee recommended that this be paid on orders to Payne, Spooner, General Enos,

and Townsend, all from the east side of the State. Not only did these leaders want to take all the power away from the Council and Treasurer, but they also endeavored to appropriate all the specie in the Treasury, making provision to pay the men who had advanced the money for Curtis's expenses, but making no provision to pay the expenses of Ira Allen and Jonas Fay, then returning from Congress.

The agents to Congress were requested to leave for Philadelphia at once. The great haste in the proceedings indicates a desire to adjourn and leave town before Ira Allen returned. The chances are, if this had not been done, that Allen's masterful personality might have induced the Legislature to revoke some of the laws passed. Many orders were authorized to be drawn on the Treasurer to be paid in hard money, but no provision was made for obtaining the money.

The Assembly adjourned to meet in Windsor the following June. The proceedings of the Assembly disclose two outstanding facts: Governor Chittenden and the Council could not, as they usually did, control; and the House refused to accede to the requests of the Council. The Assembly was led by Tichenor, Nathaniel Chipman, and what Allen called 'state politicians' who wanted office. As no previous Assembly had ever acted in this manner and as there was no cause for such a reversal of policy now, except the malicious statements made by Tichenor, it is fair to assume that Ira Allen did direct all former Legislatures as well as those that followed for some time. It was the first attack on Allen by Tichenor in a political battle that was waged for many years. The commission of the agents to Congress is dated March 3, 1782. A letter to Washington, signed by Chittenden, dated March 16, and carried by one of the delegates,¹ was full of flattery to Washington, and closes with the hope that, now that Vermont is to be one of the confederated States, Washington will help draw the attention of the country to the exposed position of the State on the frontier. Chittenden and the agents were to be disappointed. The Assembly had done a dastardly deed in passing the act of February 23 before Ira Allen's return, and before it was known whether his mission to Congress had or had not been successful.

¹ Sparks, *Correspondence of the American Revolution* (Boston, 1853), vol. 3, p. 492; also Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 2, p. 385.

The agents arrived at Philadelphia and addressed Congress on March 31. All sorts of legislative jockeying was indulged in by New York's delegates, and the Vermont agents returned home April 20, with nothing accomplished. Besides New York's opposition, there were other reasons why Vermont was not admitted as a State. The Southern States did not want New England to control, as she would, if Vermont were admitted. Virginia claimed vast territory in the West, and she feared Vermont would vote against her retention of it. The residents of Kentucky were petitioning to be made a State and Virginia, claiming Kentucky, was opposed and afraid of the precedent, if Vermont should be admitted.¹

For the first time since 1776 Chittenden had taken important action in State affairs without Ira Allen's advice. The Governor and Council asked Allen if he thought Congress would now admit Vermont, and he boldly answered, No. He said Vermont, by dissolving the unions, had 'weakened her strength, lessened her consequence, and exposed herself to the sport of state politicians; and her safety much depended on the events of peace or war.'² Long after, he excused this act of the Legislature on account of 'the universal confidence that the people of America placed in their Commander in Chief, . . . his known integrity, wisdom, and virtue gave him more influence over the legislature of Vermont than any other man in existence. The additional population, and consequence of some persons in the Unions tended to distribute public offices, . . . some were precipitately ambitious to gain seats in Congress.'³

On March 12, Livermore wrote Weare that he had heard Vermont had agreed to 'relinquish their late encroachments, if this be true, the hurly burly is done. . . . As to the sense of Congress, seven states are for and five against [not counting New Hampshire] receiving Vermont into confederation. It requires the assent of nine. My own private opinion would be . . . to give them independence . . . but I shall never vote for it without instructions. New York proposes to settle it with commissioners between the two states and decide on dividing at the heighth of land. If New Hampshire must go to war they may as well claim to the heighth of land as to the

¹ Hunt, *Writings of Madison* (New York, 1900), vol. 1, p. 121.

² Allen's *History of Vermont* (London, 1798), p. 214. ³ *Ibid.*, p. 223.

river.' ¹ Livermore wrote again to President Weare on the subject of dividing Vermont with New York, as follows:

PHILADELPHIA, *March 19, 1782*

Now for a word about Vermont. If we should extend west of the river to the ridge of mountains, it must be done with the good will of the people living between the river and those mountains; otherwise the acquisition would cost New Hampshire more than it is worth.

Now if that district wish to joyn us, as has been often hinted and as has been undoubtedly the case heretofore, it would be very agreeable and easy to accomplish.

I suppose the legislature of New York would gladly settle with the legislature of New Hampshire without the intervention of Congress a line on the ridge of mountains as a boundary line between New Hampshire and New York, and if the people on the east of the mountains approve of it this would throw us into a state of perfect tranquility. Let New York settle with the people west of the mountains as they can agree, it would not concern us.

But on the other hand if the people between Connecticut River & the mountains are against us, and choose rather to divide by the river let us make ourselves easy without them. I think it is in the power of the people west of the river east of the mountains to turn the scale for their own benefit and ours. We have been taking pains to serve them as well as ourselves. They will never be allowed east of the river, nor New Hampshire west of the mountains. Nature sets the mountains for the boundary. And if Vermont sh^d. be annihilated or rather disallow'd as a state New York will have a share of it, that is, the part west of the mountains.

On April 22, he wrote again: 'The affair of Vermont is put by for the present and their agents are gone home.' ²

It was Ira Allen's opinion that New York made a serious mistake in failing to induce the Vermont agents to sign the confederacy of the United States, which would have put them under the laws of the United States and possibly have saved for the New York grantees over two million acres in Vermont. 'A blind fate, in hardening the hearts of Congress, (and not the wisdom of the [Vermont] legislature) saved her citizens from the loss of these lands, and joining the Confederacy at a time when it would have involved them in a share of the continental debt.' ³ The dissolving of the unions created much dissatis-

¹ *Weare Papers*, vol. 10, p. 128, New Hampshire Historical Society.

² *Ibid.*, p. 146.

³ Allen's *History of Vermont* (London, 1798), p. 226.

faction among the people living in the annexed territory, east and west. The former New Hampshire members of the Vermont Assembly were particularly incensed. In a letter to Governor Clinton of New York, March 29, the delegates in Congress wrote, 'We heard of the narrow escape of Allen and Fay [from arrest on their way home]. Laying aside our just resentments it may peradventure have been better so than otherwise. It has leaked out that the changes in that country [Vermont] are favorable for us and that their leaders [Allen and Chittenden] are held in detestation.'¹ Tichenor and Moses Robinson favored New York.

The British in the meantime were not idle. Notwithstanding Cornwallis's surrender the British desired at any cost to attach Vermont to them. On January 2, 1782, Germain wrote Sir Henry Clinton² and Haldimand to continue their efforts 'and whatever expense you incur in effecting it will not be repined at.'³ These letters, delayed in transit, were not received until long afterward. In his letter to Clinton he stated, 'no more troops can be sent over.' Germain wrote a long letter to Haldimand, July 26, 1781,⁴ and it was received open by Clinton January 8, 1782, to be forwarded. Smith's entry in his diary that night gives the purport of it. 'It shews his [Germain's] opinion of the low state of the rebellion and his knowledge of Vermont's new claims to be rid of congressional acquiescence in its becoming a 14th state, and urges Haldimand to agree with the Vermonters at any expense. Says that he shall advise the King to their extending to the Hudson. . . . This letter was artfully left with a flying seal to be read by Sir Henry . . . it must vex Sir Henry [Clinton] exquisitely.' Scouts, prisoners taken, and spies reported to the British that the Vermonters would not fight for Congress.⁵ The people of the colonies disliked the French troops on account of their religion.⁶ On February 13, a report was received from Sherwood's son, that a member of the Vermont Council told him, 'it was lucky they had heard of Cornwallis defeat [in October] so

¹ *Clinton Papers*, New York State Library.

² Sparks MSS., vol. 45, part II, p. 116, Harvard College Library.

³ *Canadian Archives*, B-50, p. 98; also B-44, p. 118; also Vermont Historical Society, *Collections*, vol. 2, p. 230.

⁴ *Ibid.*, B-44, pp. 105-09; also Vermont Historical Society, *Collections*, vol. 2, p. 146.

⁵ *Canadian Archives*, B-177-1, pp. 14-18.

⁶ *Ibid.*, p. 21.

soon, otherwise in a few days they would have put their acts in force in favor of a reunion [with the British] which would have ruined them.' ¹ One report informed that, on February 21, a notice was sent out from Bennington, by the representatives of the Western Union, to their constituents to meet at Cambridge, [New York,] March 1, to decide what they would do about returning to New York jurisdiction.² There was one friend of the British in Vermont [Merwin of Arlington] who signed his reports 'Plain Truth,' and they were usually correct. On March 10, he reported, 'By the best information our delegates Dr. Fay and Colonel Allen have satisfied Congress that they are honest and upright and the negotiation is all a sham to save a campaign or two, and which I fear is the truth.'³ It was reported that 'Ira Allen and Fay [are] in irons at Congress.' Vermont dissolved her unions and agents had gone to Congress expecting to join United States.⁴ Sherwood wrote March 18, 'their [Allen and Fay's] confinement is all design intended to cover their meditated treachery.'⁵ On March 22, Sherwood received report from a spy who had conversed with Lem. Buck, of Arlington, a friend of the British and a member of the Vermont Legislature. Allen and Fay returned, never having been confined; 'those two gentlemen were much dissatisfied and exasperated with the Legislators for relinquishing the Unions and were exerting all their influence to re-establish them.'⁶ On March 28, Sherwood urges that no hostilities against Vermont take place until the season is far enough advanced for a campaign.⁷ But later that day he received a letter from Knowlton and Wells, 'From this letter I am fully satisfied that nothing is to be expected from Vermont but cursed hypocrisy and deceit. I hope a speedy vengeance may overtake them before they are aware of it. I think all their frontier towns, including Castleton, Rutland, . . . may be easily burned and destroyed.'⁸ Knowlton, Jones, and Wells, received fifty gold guineas by bearer to pay for procuring information; this was in answer to their letters.⁹ Sherwood sent a letter to Ira Allen in February by one Crow-

¹ *Canadian Archives*, B-177-1, p. 45.

² *Ibid.*, p. 63.

³ *Ibid.*, p. 123.

⁴ *Ibid.*, pp. 128, 129.

⁵ *Ibid.*, p. 142.

⁶ *Ibid.*, p. 148.

⁷ *Ibid.*, p. 161.

⁸ *Ibid.*, p. 167.

⁹ *Ibid.*, p. 173.

foot, but he was captured before he reached Arlington and destroyed his dispatches.

Some time in March the following incident happened, as told by Ira Allen in his 'History':

In the spring of 1782, a loyalist officer, out of Canada, having raised seventeen recruits in the County of Albany, State of New York, set out to conduct them to Canada; he supposed it was safer to conduct them through Vermont than to continue in the State of New York; they were furnished with some stores at the roaring branch in Arlington. As they were putting them into their knapsacks in the silent watches of the night, Lieut. William Blanchard passing that way, fell in amongst them; they made a prisoner of him. On their March to Canada, they fell in also with Sergeant Ormsbury, who shared the same fate with Blanchard. To prevent alarm, they struck off the road immediately, and took to the woods. The next morning early, Major Ormsbury [Ormsby] was apprized of the situation of his son . . . and the route the enemy had taken. The Major dispatched an express to Colonel Ira Allen, [at Sunderland] to inform him . . . as the Colonel at that time commanded a regiment of militia in that neighborhood. In the meantime, the Major directed Captain Sunderland [Peleg an old scout] to pursue the enemy with a party of men. The Captain took his hounds with him, who, by their scent, followed the tracks of the enemy, and thus proved faithful guides to the party. Colonel Allen on receipt of this intelligence, posted full speed to Manchester, sent to Captain Eastman, of Rupert, directing him to raise a party of men, and waylay in a certain pass in the mountain, where he took the said recruiting party, and released Lieut. Blanchard. Capt. Sunderland came up in a few moments after, when the sagacity of his hounds was amazingly perceptible, by going up and smelling to the feet of the prisoners, who were brought to Sunderland; the Governor, Genl. Ethan Allen, &c attended their examination. A simple, honest looking fellow was the first examined, and whilst the attention of the populace was drawn to hear it, an officer, that was in the secret, found means to let the prisoners know that they must call themselves British soldiers, in a loyalist corps, when it was discovered that the recruiting officer, had his recruiting orders, enlistments &c with him, which he was directed to immediately destroy, as the price of their lives; they were examined, considered as prisoners of war and sent to Bennington gaol. . . .

In the meantime a strong party, in and about Bennington, who were opposed to any negotiation with the British, threatened to oppose the said prisoners being sent to Canada in exchange. The Governor being informed of this, and that the party was gaining strength, directed a spirited officer, [Colonel Allen] with a number of men, to repair to Bennington, to take the prisoners out of confinement, and march them to the frontiers, for the purpose of being carteled [exchanged] which he did. Colonel Warner, and a committee

came from Bennington to Governor Chittenden's, [at Arlington] where a warm altercation took place, as the gentlemen from Bennington disputed the propriety of the conduct of the Governor, in sending the prisoners to the northward, and threatened to raise a regiment of men to bring them back. Governor Chittenden answered, that he had not taken this step 'till he had consulted the Council, and so done what he thought proper, and should not recall the orders he had given respecting said prisoners, and did not doubt but Colonel Allen's regiment, who had taken said prisoners, were sufficient to support his orders in opposition to any measure they could take; that they might depend that the northern part of the state united in opinion with him and the Council; he therefore coolly advised them to return to Bennington, and persuade the people to be quiet; that they would soon see a generous return of prisoners from Canada; the dispute subsided, and in a short time forty prisoners were returned, part of whom were citizens of the United States, . . . when these matters were known, opposition ceased, and the conduct of the Governor was approved by all parties.¹

These forty prisoners, however, were not returned until Joseph Fay, Commissary of Prisoners, wrote the following letter to the British Commissioners Dundas, Sherwood, and Smyth:

BENNINGTON, 9th May, 1782

GENTLEMEN:

Induced by the same motives of humanity, which ought to govern all Christian and civilized nations, I have, with the advice and direction of the authority of this State agreed that twelve persons (lately made prisoners of war who have served in the British establishment) be sent within your lines for exchange, at the same time cannot forbear to declare to you, the abhorance I have of a breach of national faith, of which I must declare you guilty, unless all the prisoners belonging to this State (in your custody) be immediately sent out with sufficient reasons for their being detained contrary to your positive agreement in September last. Your own feelings ought to govern your conduct in the humane treatment of innocent men, whom the fortune of war has put in your power, and grant them the earliest relief, and especially when it can be done without material injury to the cause in which you are engaged.

I have to acknowledge the receipt of five prisoners that fell into your hands last October near Mount Independence, who were immediately sent back and will be credited to your account accordingly. I expect you will give credit for the number now sent you a list of which is inclosed and that you *immediately* send out all the prisoners belonging to this State.

Nothing short of your compliance herewith will satisfy.

Your obedient and most humble servant,

JOSEPH FAY, C.P.S.V.

¹ Allen's *History of Vermont* (London, 1798), pp. 230-33.

The British prisoners arrived in Canada on April 5, and at the same time young Smyth arrived there. Smyth had broken out of jail in Albany and fled to Bennington. He was permitted on parole to go to Canada to visit his father, Dr. Smyth. As he had been among the people in Vermont some time, the heads of his report made to Sherwood are given. When Sherwood sent this in, he wrote Mathews: Smyth 'has so much to communicate and appears so uncommonly clear in his general ideas as well as manner of delivery that I conceived it my duty to forward him without loss of time to the General for examination. . . . I confess I entertain the most favorable opinion of Messrs. Allen and Fay that I have ever done.' ¹

6th April 1782, 5 o'clock in the morning

Mr. Terence Smyth came in last night from Arlington which he left on the 26th of March, 1782.

Heads of his report are as follows:

1st. Gov. Chittenden, Gen. and Col. Allen knew that Sergt. Phillips and party were in Arlington and assisted him to make his escape with them in a private manner.

2nd. He is fully satisfied that the Allens and Fay are strongly in favor of Govt. and he is still dubious of Chittenden.

3rd. He had a long conference with General [Ethan] Allen the evening before he left Arlington, Allen assured him he would have the Unions on again very soon and that he would engage to bring the whole State to declare for Govt. within two months if they could have a British force to assist and protect them but without such a force, he would throw away his own life and the lives of many others, as well as totally prevent such a union taking place; that he hoped and believed that Gen. Haldimand did not wish he should run so great a risque etc. Allen fears that Gen. Enos, who was made acquainted with the negotiation last fall, is treacherous and has acquainted Congress with the whole proceedings.² He does not blame Gen. Haldimand for what has transpired but he thinks it is an unhappy and dangerous circumstance and is almost afraid to be active in any manner, as Vermont is now closely watched and frequently visited by the Continental troops from Albany, Saratoga, etc.

4th. The last agents were strictly charged not to sign any agreement nor on any pretence to enter into a confederacy with the other states.

5th. Colonel [Ira] Allen has attempted to send here the winter past, but failed. He, as well as Fay, are exceedingly anxious and much concerned for fear his Excellency will entertain an ill opinion

¹ *Canadian Archives*, B-177-1, p. 181.

² Enos seems to have told Tichenor.

of them. Mr. Smyth is confident of those gentlemen's sincerity, he has been privy to their private proceedings and observed in them a uniform, steady adherence to the same principle thru the course of the winter.

6th. Ld. Cornwallis' disaster frustrated their best laid projects as it disheartened those people who were in favor of the Revolution and enabled the other States to watch and counteract them. etc.

7th. General Washington wrote to Gov. Chittenden a positive order immediately to relinquish the unions or he would compel them by force, etc.

8th. Washington's letter to the Governor began 'Sir, as you have unfolded your heart to me etc. This clause alarmed the Vt. Assembly and they demanded its meaning but [the] Governor refused to satisfy them. From this, some conjectured he had discovered the whole negotiation but the Allens have a different opinion and think he only entered particularly into their reasons for claiming the new unions etc.

9th. The Council have once assembled with the intention to avow their principles and proclaim themselves open enemies to the United States but on mature consideration they conceived themselves too weak and too uncertain of sufficient protection from Canada etc.

10th. On about the 17th of April, the commanding officer at Saratoga sent 50 men to Bennington compleatly arm'd and equip'd. This allarmed the Vermontese; General Allen went to the Governor and caus'd an order to be instantly issued for the militia to hold themselves in readiness to oppose force by force, etc.

11th. Some time past, General Allen proposed to send and take all the prisoners out of Albany gaol and lay the prison in ashes. He publicly offered to head the party that would attempt it, etc.

12th. When Colonel Allen was at Congress, he was accused of holding a criminal correspondence with the enemy in Canada and Mr. Edgar's deposition was brought against him¹ but he cleared himself in so clever a manner that Congress did not know what to make of him. Allen has all the accusations and his answers in writing which he will send here as soon as he can with safety. On Allen's return from Congress, Governor Clinton placed a party in ambush to take him and he was pursu'd by them three days.

13th. Mr. Smyth will fully inform his Excellency on those different heads and likewise in particular of Mr. Tichener's newly acquired influence with the populace in Bennington and the suspicions harboured against him by Allen and other leading men who wish well to Government. Charlestown and S. Carolina evacuated by the British. General Carleton is expected to take the command at New York. General Burgoyne is reported to be at Halifax with 12,000 men. Britain has settled a peace with Holland etc.

It is reported that 20,000 Prussians will be sent to America the ensuing summer, the one half to New York and the other to Canada.

¹ Vermont Historical Society, *Collections*, vol. 2, p. 256; also *Canadian Archives*, B-177-1, pp. 28, 32.

Sherwood's letter to Ira Allen in February had been destroyed by the messenger who had been captured, so he wrote Allen again on April 16:

SIR:

Enclosed I transmit you a copy of a letter which I attempted to send you last winter by the bearer who was unfortunately taken but happily destroyed it before he surrendered. From that you will find that the General has never lost sight of his objects and by this I am happy to inform you that his Excellency has lately received by way of Halifax full powers from the King to establish V't government including the full extent of the east and West New Unions with every privilege and Immunity formerly proposed to you and is likewise fully authorized and sincerely inclined to provide amply for Gov. C. and to make Colonel E. A. a Brigadier in the line, yourself and colleague field officers with such other rewards as your sincerity and good services may in future merit in bringing about the revolution. In short the General is vested with full powers to make such rewards as he shall judge proper to those who distinguish themselves in bringing about the happy union.

His Excellency has great confidence in you, consequently much will depend on your recommendation. I mention those things to you in confidence and shall never expect to see this letter or hear of it in public. I must hint that your only method now left is to lose no time in reclaiming the new unions, then throw off the mask and lay the whole before your Assembly and Council.

I am this moment (while writing) thunderstruck with the report, that all our former negotiations are public in your papers and the papers of other States, particularizing the names of the agents on both sides. For God's sake, by what means could this transpire? Pray be explicit in giving me your candid opinion on this matter, what effect it will have and what measures must be pursued to remedy it.

I am in pain for you and assure you I never [have] seen his Excellency shew so much concern on any subjects as at present for your safety. He fears you will not be sufficiently apprised of your danger but I hope you may and beg you instantly point out to me what we can do for your security. You'll please to meet me near Crown Point as soon as possible as his Excellency wishes us to have a personal interview. I need not tell you how much my future reputation especially with his Excellency, depends on bringing the negotiation to maturity or if that can't be done, in being able to satisfy him that the failure is not owing to any neglect of yours.

The letter referred to above as lost was dated February 28, 1782; it requested Allen's candid opinion about existing conditions in Vermont, and concluded: 'The next [battle] may wear a very different aspect: add to this, the great probability

of your being ruined by your haughty neighbors. . . . Will there be a proper time to send the proclamations?'¹ It displayed the anxiety of the British agent to win over Vermont.

Again Sherwood wrote Allen, April 22:

In confidence we take this opportunity to acquaint you, . . . that he is still inclined to treat amicably with the people of Vermont. . . . His Excellency still retains that generous confidence in your repeated professions of sincerity, as well as your solemn promises to endeavor to unite Vermont to Great Britain, which is due to the sincerity of men of honor. . . . But should the Lord Cornwallis misfortune or any other circumstances or view have inclined you to alter your opinions and intentions, we request and conjure you by that candor and honor which you have so repeatedly declared to be the ruling motives of your whole conduct throughout the negotiation, to signify the change by the return of the messenger, as the continuance of a negotiation attended with so much trouble and from which nothing is to result cannot be expected. His Excellency expects if you have not changed to hear from you in the fullest manner of every thing that has transpired. . . . As he now entertains the highest opinion of your veracity and upright intentions, I trust you will.²

Sherwood was not able to send this letter and still had it on April 26. He wrote Mathews, 'A fatality seemed to attend every attempt of late on our part to treat with that treacherous race, the Vermonters.'³

Sherwood's anxiety for Ira Allen was caused by a full account of the Vermont negotiation with the British in a Fishkill paper and an affidavit from information he received from Thomas Johnson, who had been a prisoner in Canada,⁴ made by one John Edgar and given to Governor Clinton, of New York, who sent it to the Legislature, March 21. It was published in a handbill (probably at Albany). Regarding this publication, Smith wrote in his diary, Friday, March 22:

I was with the General [Sir Henry Clinton] an hour. He supposed Doctor Romyn to be the person who carried out the intelligence published in the Fishkill paper and reprinted by Rivington last Wednesday and asked me whether I saw him give him any handle. I said I thought not and did not recollect any conversation with him upon the subject. . . . I gave it as my opinion that the intelligence could do no harm because the Vermonters would see it to be not new and could deny that there was a government contract

¹ Allen's *History of Vermont* (London, 1798), p. 240.

² *Canadian Archives*, B-177-1, p. 239; also Vermont Historical Society, *Collections*, vol. 2, p. 263.

³ *Ibid.*, p. 213.

⁴ *Ibid.*, p. 202.

between Vermont and Haldimand and that [Governor] Clinton had served the crown by telling all the world of the defection, and thus leading the Loyalists to flock into Vermont.

Sherwood and Smyth wrote Mathews, April 20:

It is with sorrow and inexpressible concern, especially for Allen and Fay that we find the intelligence from New York respecting Vermont invariably true and must have transpired from some person perfectly acquainted with the whole affair and we very much fear this will sour the minds of those two gentlemen who, (we are persuaded) from the affidavits and the New York intelligence, never had any hand in revealing it and must of necessity tremble for the consequences as well as be very cautious in their future transactions with us.¹

Ira Allen believed that Isaac Tichenor, who had learned the details of the British negotiations from General Enos, furnished the information to the newspaper.

On May 4, Judge Wells, of Brattleborough, wrote Sherwood giving all the information he had concerning the movements of Washington and the French, sending him newspapers and all late reports about business and the people of New England and informed him that Vermont had not been received 'into confederation with the United States. . . . Without knowing more of the transaction between some principal persons and yourself cannot form a judgment respecting the intentions of those persons, but the Legislature of Vermont appears at present as resolutely determined against a reconsideration with Great Britain as any other Assembly on the continent without exception.' ² 'Plain Truth,' writing May 9, 1782, in answer to Sherwood's letter of April 24: ³

I have the greatest satisfaction and the fullest proofs of their [the Allen's and Fay's] fidelity and firmness of our authority; if the d'l is not wrapt up in men's skins, I am bold to say they are as true as truth itself. Besides the four you mentioned [Ethan and Ira Allen, Chittenden and Fay?] there are several others Mr. G. B. [Major General Brownson] Capt. E. B. [Capt. Eli Brownson] Capt. J. F. [Capt. John Fassett, Judge] Dr. W. [Doctor Washburn] and a number of others, seem to be much in our favor. T. C. [Thomas Chittenden] is not a bad man.⁴

Sherwood's letters were received by Allen in May and he sent the following reply which was not signed:

¹ *Canadian Archives*, B-177-1. p. 202.

² *Ibid.*, p. 285.

³ *Ibid.*, p. 209.

⁴ *Ibid.*, p. 271.

PROVINCE OF NEW YORK
May 9th, 1782

GENTLEMEN:

Rec'd yours of the 22nd ulto and marked well the contents, and have to observe that extraordinaries excepted, in about three weeks a gentleman [Jacob Lansing] of undoubted veracity who is well acquainted with all and every of the particulars in your letters will be with you and from thence to Gen'l Haldimand, who is personally acquainted with him and many of our friends in Canada. He will give every satisfaction that the Gen'l or you desire, which is a safer and much better way of transacting matters, than by writing. Have only to add that as the General's honor is not in the least disputed with us, we are happy to have it in our power to give him the same confidence in us, part of which has or will soon come to hand and the completion of its evidence by the gentleman before aluded to. Pray do not hazard any more by writing, for by so doing you expose your friends and the object of our wishes, these are the last lines which we dare let run the gauntlet to you while matters are so dangerous and I expect that you will write no more for (the embarassments considered) matters work very well.

So that you will not be disappointed except in this, that matters are really in a better condition than you could imagine when you wrote. Your honour and ours is safe and the general's confidence has not and will not be in the least abused in all which you will soon be better acquainted as to particulars.

Lastly, if the fate of war or any unforeseen contingency shall interpose and defeat the great object of our designs our vigilance and hazard in the attempt cannot fail to confirm our veracity in the undertaking and in the prosecution to which we affix our seal the day and date aforesaid.¹

Haldimand wrote to Germain, a letter, dated November 23, 1781, but not sent until March 5, 1782, again marking it 'most private,' the contents of which told of the conditions in Canada. The French were ready to join the rebels and, if any French soldiers invaded Canada, a great number will join. He gave a complete list of the forces under him and asks for reinforcements:

The people of Vermont notwithstanding the inclination, which many amongst them have to shake off the tyranny of the Congress may find themselves under the necessity to make great and zealous exertions against us in order to wipe off the suspicions which, from many circumstances, cannot but be entertained against them.²

¹ British Museum, Haldimand, No. 34546; *Canadian Archives*, B-177-1; also Wilbur Photostats, University of Vermont.

² *Canadian Archives*, B-55, p. 129.

The people of Vermont and of New York, from Albany north, expected an invasion by a strong force from Canada in the spring. On April 28, Haldimand wrote Sir Henry Clinton, 'the crisis is arrived when coercion alone must decide the part Vermont will take, . . . This movement I can not effect before the middle of June. Not only from the *uncertainty* of what may happen here but from want of flour.'¹

The British still had hopes, as the following letter from Smyth to Mathews indicates:

ST. JOHN'S 18th May, 1782

As Mr. Ried and five loyalists arrived here from the shipping. Ried brought me the enclosed, [from Fay] which were sent by Capt. Lansing of Arlington. Lansing desired Ried to inform me that the V't. agents was returned from Congress without doing any business with that body, and when Ried left Arlington the Council was to convene. As soon as the result of their meeting was known, either Lansing or some other faithful person will be sent in with the particulars. Lansing told Ried that the Vermonters would certainly join us this summer.

The pamphlet [The Present State of the Controversy between the States of New York and New Hampshire &c] is a production of Gen'l Allen. As I soon expect to see you here, I shall not trouble you with a long letter. I only wish our letters was answered by the Allens.²

The following letter, in a disguised hand, with no signature, was received by the British Commissioners, but it is docketed by them as coming from Ira Allen and Joseph Fay, under date of May 19, 1782:

We have to inform that, though matters work well, there are a great deal of popular discontents which are on the decline. The prisoners we send you for exchange has occasioned speculation, some say that there will none be sent back in return, therefore fail not to exchange them as soon as may be, for it will quiet our malcontents. For young Smyth we expect Lieut. Dunning, be sure to send him to Castleton for there his eyes will be opened least his tongue is unruly and he does a damage. You will observe that the recent [report] which you will receive with the doings of Congress have implicitly made Vermont a neutral Power by refusing her a confederation; this is the light in which it is considered by this government, from hence we infer that the confederated states must fight their own battles. Time forbids us to write any more at present. If you write

¹ *Canadian Archives*, B-148, p. 24; also Vermont Historical Society, *Collections*, vol. 2, p. 265.

² *Ibid.*, B-177-1, p. 292.

any more, do it in this new mode. Adieu from your friends and humble servants.¹

Sherwood wrote the following letter to Mathews from the Royal Block House, 19th May, 1782:

DEAR SIR:

Crowfoot and Capt. Wright arriv'd here last night in four days from Arlington, with some dispatches, which I have requested the Doctor to carry to his Excellency Gen'l Haldimand. I have no doubt, but Vermont will be ours as far as Mr. Ch. n, A'n and F's can put it in our power, but I fear the Benningtonites, especially the two mob Colonels; Warner and Herrick, will find means to overturn the whole system. I wish those two rascals could be put quietly out of the way for they are too cunning to be brou't here, where the tongues of surmises are so busy. I have a verbal message from Mr. Breakenridge importing that he is too closely watched by Herrick's mob (which rules) to write, but he begs the Gen'l will await with patience a little longer, for he knows the Allens and many others are sincere and believes they will within three months be able to bring V't over to Govt. if Gen'l Haldimand can protect them from the other States which he thinks his Excellency should demonstrate to the Vermonters by incontestable proofs as soon as possible. The Vermonters have sent in some prisoners for exchange, especially one Serjt. Micklemoyle who has done much harm to our friends in Arlington by endeavouring in a public unguarded manner to recruit, and, but for the mediation and vigilance of Chit'n and the A'ns, he would have ruined Mr. Plain Truth [Merwin] and many others there.

I cannot conclude without mentioning that Gen'l and Col. A'n treated Crowfoot with every mark of friendship, General A told him for God's sake for his own and their safety, to take care of himself, for the mob were watching every motion. Col. A. visited him in the woods the night before he came away and offered him any assistance he could require in money, provisions or anything else in his power, cautioned him to take care of himself while on his way, and keep his secrets after he arrived here, sent his best compliments to the Doctor and me, said he wished much to see us, but could not possibly till matters were more regulated and Colonel Herrick's mob a little cool'd. God blessed him and wished him a safe and quick passage.

Sir Guy Carleton succeeded Clinton in command at New York and wrote Haldimand on May 21, 'England in a disposition to pursue peace by all proper and honorable means. . . . Our operations here being limited by the declarations of Parliament to the principles of defence only.'¹ Haldimand, not

¹ *Canadian Archives*, B-177-1, May 19, 1782.

knowing of the above change, wrote Clinton, on May 27, that, owing to the difficulty of collecting wheat, he could not appear on the frontiers, as soon as mentioned (June), but 'letters from Vermont give me reason to think the Vermonters are sincere.'¹ On June 6, Wells wrote Sherwood that there was likely to be trouble in his section [Brattleboro], as mobs had formed to resist the Vermonters.² On June 9, a party was sent off to capture General Bayley and his papers.³

On June 13, report came in:

A mob was actually convened about a fortnight ago, headed by Colonel Herrick [on account of Herrick's intemperance Ira Allen, who had made him Colonel of the Rangers in 1777, Vermont's first regiment, could not now trust him with any command], who demanded of the Governor his reasons for sending back all the British prisoners and torys which fell into his hands. They taxed him with intentions to sell his country, called him, General [Ethan] Allen and Major Brownson traitors and torys. . . . Major Brownson ordered them to disperse. . . . if nothing but the sword would govern them that he should use it.

They had dispersed. Mr. Lansing had been in poor health and could not go to Canada. Vermont Assembly was now in session.⁴ Three young men just in from New York via Bennington 'report that the people of Vermont expect every day that New York will send an armed force against them. They heard Colonel Robinson tell the populace that the Yorkers were their greatest enemies and that, if the British Army was now at the place where the Bennington Battle was fought, it would not be to the interest of Vermont to take a musket against them.'⁵

Before returning to Vermont and recording what transpired there it may be interesting to know that General Bayley, James Woodward, and others sent an earnest appeal to President Weare, of New Hampshire, asking that the bearer, Bayley's son, be sent to General Washington with a request for troops to protect them, otherwise they would be destroyed. This communication told of the intercourse between Canada and Vermont.⁶ Weare wrote Washington there was no doubt

¹ *Canadian Archives*, B-148, pp. 30-32.

² *Ibid.*, B-177-I, p. 337.

³ *Ibid.*, B-177-I, p. 274.

⁴ *Ibid.*, B-177-I, p. 349.

⁵ *Ibid.*, B-177-I, p. 357.

⁶ *Weare Papers*, 1780-1824, 013-24, p. 75, Massachusetts Historical Society.

Vermont was in negotiation with the British, and the bearer, Captain Bayley, could explain fully.¹

Ira Allen was absent fifty-eight days on his mission to Congress from January 11 to March 9, 1782. He spent the next seventy-seven days in his office, collecting accounts and arranging the books of the Treasurer's office. It was the first opportunity he had had for almost a year to devote to this task, as he had been away from home on important missions for the State. John Knickerbacker, his clerk, fortunately was a good accountant.

As soon as Vermont had dissolved her unions, the friends of New York residing near Brattleboro renewed their efforts against the Vermont government. 'March 12 a town meeting in Brattleboro voted that, in their opinion, the Vermont government had entered into a treaty with the British; that their allegiance was due to New York, and to withdraw all allegiance from Vermont.' Other meetings were held in Guilford and Halifax. A petition was sent to New York asking that a civil government might be established over residents of these towns by New York, with sufficient force to put it into execution. Nothing important came of the request, and in April Charles Phelps prepared a vigorous remonstrance, charging the principal men of Vermont with treason. The three towns mentioned adopted it and sent an agent with it to Governor Clinton, of New York. Clinton replied, promising to help, quoted the resolutions of Congress, and added, 'Should any person under pretence of authority from the assumed government of Vermont attempt to enforce their laws, you will perceive that resistance by force is, in every point of view, justifiable, and the faith and honor of Congress is pledged for your support.' He believed there was criminal intercourse between Vermont and the British and, if Congress delayed or declined to act, New York would have to adopt 'compulsory measures.'² In executing the Vermont act, passed in February, to raise three hundred men, the State officers determined to draft the quota of Guilford from adherents to New York. Stirred by Clinton's letter, the friends of the New York government determined to resist. On May 10, when the sheriff seized property to pay for hiring a man to

¹ *Weare Papers*, 1780-1824, 013-24, p. 77, Massachusetts Historical Society.

² *Clinton Papers*, New York State Library.

do military duty in behalf of Guilford, the property taken was forcibly rescued. On May 17, another petition was prepared by Phelps, signed by residents of the three towns, and Phelps took it to Albany. On May 31, the town of Newbury, Vermont, the home of General Bayley, voted to join New Hampshire.

In response to Phelps's petition, New York commissioned him and fourteen others, justices of the peace, with power to arrest the Vermonters. The colonel of the regiment formed there some time before was instructed to protect the country from the depredations of the enemy. Subsequent events will show how nearly these acts, encouraging resistance to Vermont authority, led to actual warfare.

The Assembly and Council of Vermont met at Windsor on June 12, but there was no quorum until the 15th. All the letters received and sent by the Governor and Council were submitted to the Assembly. Ira Allen, Jonas Fay, and Abel Curtis made a full report, submitting copies of all communications to Congress during their mission to Philadelphia in February. A report of the four agents sent in March was also read. No action was taken on these reports, but they were accepted. Routine business was performed and the following acts were passed:

An act establishing the Constitution of Vermont and securing the privileges of the people.

An act adopting the common statute law of England.

An act defining and limiting the powers of the several courts within this State.

An act regulating all civil processes in civil causes.

An act in addition to an act directing and regulating the levying of executions.

An act for the punishment of conspiracies against the peace, liberty and independence of this State.

The last-named act provided that, if six or more persons should assemble, 'with weapons of terror to hinder the execution of the laws; or if any person or persons shall conspire, or attempt any invasion, insurrection, or rebellion against the state' — the punishment should be banishment, or imprisonment, and forfeiture of property. The third section provided that, if any person banished under this act should refuse to depart, or after departure should return without leave, and be convicted thereof, 'he or they shall suffer death.'

It was resolved that the acts empowering the raising of men to assist the sheriff and the resolution directing the chief judge to call court in Windham County 'should not be divulged by the members and officers of this house.'

The Legislature adjourned on June 21. In the work of this session Ira Allen took an active part. He was the only leader whom the people in the two unions could not accuse of being a traitor to them. It is needless to say that those who were instrumental in dissolving the unions had little influence at this session. Soon after the session began, Ethan Allen wrote a letter to General Haldimand and signed it. Ira never signed any letter or paper that might compromise him, but Ethan was less careful. The text of the letter follows:

The morning of the 16th of June 1782 [no place named]

I have to acquaint your Excellency that I had a long conference with Capt. Wright last night; he tells me that through the channel of Capt. Sherwood he had to request me in your name to repair to the shipping on Lake Champlain to hold a personal conference with your Excellency. But as the bearer is now going to set out from my house to repair to your Excellency and would have set out yesterday had [had] not the intelligence of the arrival of Capt. Wright postponed it till today. I thought it expedient for me to wait your Excellencies reconsidering that matter after discussed [discussing] the peculiar situation of both the external and internal policy of this state with the gentleman who will deliver you this. And shall have by the time your Excellency has been acquainted with the State of facts now existing: time to bring about a further and more extended connection in favour of the British interest which is now working at the general assembly now setting at Windsor near Connecticut River. The last refusal of Congress to admit this state into union has done more to awaken the common people to a sense of their interest and resentment of their conduct than all which they had done before. By their own act they declare that Vermont does not and shall not belong to their confederacy. The consequence is that they may fight their own battles. It is liberty which they say they are after but will not extend it to Vermont, therefore Vermont does not belong either to the Confederacy or to the controversy but are a neutral republic. All the frontier towns are firm with those gentlemen in the present administration of government and to speak within bounds they have a clear majority of the rank and file in their favor. I am with sentiments of esteem your Excellency's M.O.H. St.

ETHAN ALLEN

N. B. If it should be your Excellencies pleasure, after having conversed with the gentleman who delivers you these lines, that I should wait on your Excellency at any part of Lake Champlain I

will do it except I shall find that it would hazard my life too much. There are a majority in Congress and a number of the principle officers of the Continental army continually planing against me. I shall do every thing in my power to render this state a British province.¹

E. A.

This was a most indiscreet letter and it is doubtful if Ira Allen knew it had been written. Jacob Lansing carried it to Haldimand and later, it was sent to England.

About this time the British tried to capture Jacob Bayley. A raiding party went to his house, but he was saved by a Mrs. Johnson, a neighbor, who warned him, and he and his wife made their escape. Bayley called on Weare for troops to protect him,² and wrote that this attack was instigated by Chittenden.

On July 2, Weare wrote Governor Clinton, of New York, that it was represented that an agreement between New York and New Hampshire might bring the Vermont matter to an issue. 'The people in general between Connecticut River and the height of land would be better satisfied to belong to New Hampshire than to Vermont if Vermont could be made a separate state. What the disposition of the people on the west side of the height of land may be, I am not able to say.' He asked Clinton to 'take mind of Legislature' and let him know at once.³

Weare wrote Washington, on July 3, telling him that Vermont is corresponding with Canada, and that the people along the Connecticut River are in danger and the Assembly have ordered one hundred men for their defense.⁴ Washington replied on July 31, 'I am exceedingly pained.' He suggests the two States come to some agreement. 'It can only be done in that way or by Congress.'⁵

Bayley wrote again to Weare of the attempt to capture him in August: 'We will not have peace as long as Vermont lives. If New York and New Hampshire would settle on the heighth of land [divide Vermont between them] will give general satisfaction. I expect your people will assist Vermont to enforce their laws rather than us.'⁶

¹ *Canadian Archives*, B-177-1, p. 354. Original, British Museum, Additional MSS. 21837; also Wilbur Photostats, University of Vermont.

² *Weare Papers*, vol. II, p. 15, New Hampshire Historical Society.

³ *Weare Letters*, 1780-1824, 013-24, p. 80, Massachusetts Historical Society.

⁴ *Ibid.*, p. 81.

⁵ *Ibid.*, p. 82.

⁶ *Ibid.*, p. 91.

The British position should be considered before a record is made of the struggle between Vermont and its eastern inhabitants. Haldimand did not learn of the change of the Ministers in England until June 21, when he received a letter from Sir Guy Carleton dated New York, May 21. The instructions which Carleton transmitted were dated April 4, 1782, and were from the British Secretary of War. Carleton was to withdraw all British troops from New York, Charleston, and Savannah, to Halifax, and thus, by disarming, attempt 'to captivate the hearts and remove every suspicion of insincerity' from the United States.¹ Haldimand had sent supplies for an army to Isle aux Noix, and he wrote that he would now 'by degrees move the troops' to that point. If peace was not declared, he would be ready to move south at once. He informed Carleton that the confidential person he had mentioned in his letter of May 27 as coming from Vermont had not arrived and that he had sent an agent to request Ethan Allen to give him a personal interview. 'It is very probable that the respect and general accommodation will induce that people to close with Government, knowing how little they have to expect from Congress and their neighbor provinces if left to their mercy.'²

Under date of July 11, while Jacob Lansing was in Quebec, he wrote Haldimand, telling him of the belief that Philip Skene had obtained from the King before the rebellion, a charter of all the land covering Vermont and northern New York. He asked him 'in behalf of my employers' to ascertain if this was true. If the charter could be obtained, it would 'facilitate the present negotiation.' He suggested a secret treaty to be signed at once between Great Britain and Vermont, although he states he is not authorized to make such a proposition. 'I am sent by Governor Chittenden, General [Ethan] Allen and their privy council to negotiate a re-union. . . . They have promised to abide by any engagement I shall enter into for them . . . they will not go out of the state to make war on other states.' He closed his letter with a request for money.³

¹ Sparks, *Life and Writings of Washington* (Boston, 1853), vol. 3, p. 296.

² *Canadian Archives*, B-146, p. 2; also Vermont Historical Society, *Collections*, vol. 2, p. 280.

³ *Canadian Archives*, Q-20, 122; also Vermont Historical Society, vol. 2, p. 283.

Haldimand wrote Carleton, on July 28:

The person [Lansing], said in my last to be expected from Vt. is arrived. Has brought the strongest assurances from most of the leading men of their wishes to re-unite with the mother country. These have gained about one half of the populace. Many conversations with their agent the substance of which is contained in his official letter to me. A copy of it and one from E. A. [Ethan Allen] I enclose. I have brought it to a very embarrassing crisis with regard to myself (having urged that people to a declaration in favor of government, by a long series of persuasion and the strongest assurances of support and rewards, very recently renewed in a letter from my agents, copy enclosed) in consequence of letter from Lord Sackville last April desiring that I march a body of men to frontier and, sparing no expense, make the recovery of Vermont to the King's obedience the primary object of my attention.

He does not know what to do and has written to London for instructions. He will amuse the messenger. 'I will not deceive these people into measures I can not support.' 'Will try and retain their friendship, . . . in case of war they are necessary.' He has been hoping to receive the proceedings of the Council '(composed of friends of government, two excepted) but will not wait longer.'¹

Sherwood wrote Ethan Allen, July 15, 1782. Ethan was away from home; Ira wrote the following reply, without signing it:

PROVINCE OF NEW YORK
July 30th 1782

DEAR SIR:

Rec'd yours of the 15th instant (in the absence of) [Ethan Allen] and note the contents. Am apprehensive that I do not so clearly understand some matters therein contained as tho . . . [Ethan Allen] was present some papers would have been transmitted had not imbarment prevented which the barer will verbally communicate to you They will however be transmitted as soon as may be convenient. When rec'd they may not appear so Brilliant as you may expect but you will consider that children commonly creep before they can go — Before the receipt of this Mr. . . . [Breakenridge] will be with you, of whose fidillity etc. there can be no doubt, he will be able to answer to every matter as well as I could if present; With respect to a Northern visit, it doubtless proceeded from different causes, but the astrologers, and soothsayers, in this quarter agree that it was more to lay some intrigue to seek an opportunity for the distruction of etc. But if matters are conducted with that prudence and secrecy the importance of the case does require our

¹ *Canadian Archives*, B-146, 7-13.

adversaries may again find themselves disappointed. As to the Great S. . . power [Congress] they are from different interests and intrigues of . . . [the last agents from Vermont and the friends of government] considerably divided and as to what their future proceedings may be in respect to . . . [Sir Guy Carleton's propositions] I am of opinion it much depends on prosperity or adversity.¹

George Smyth to Mathews

Mr. Wright from Arlington and Sam'l Sherwood from Albany returned yesterday. Mr. Wright brought a letter from Col. A. [Allen] and a note from Plain Truth, with some newspapers, also, which I enclose you for his Excellency's information. . . . Mr. Wright informs me that Col. A. intimated to him that Washington intended to solicit the State of Ver't to exchange prisoners for him and to effect the same. Washington will furnish the State with prisoners for that purpose. If this plan is on foot, it does not savor well. Why should Washington who dislikes Vt exert her interest unless it be to deceive General Haldimand?

Creep and go (as mention'd in A's letter) is a cradle hymn, often canted these two years and altho' the heavenly ditty has prevented the child to advance a foot from its rocking stool in that time, it may be that well experienced nurses can explain the defect. Col. Allen desires that Mr. Lansing may not attempt to bring with him any goods from this Province. Mr. Wright can inform you of the reasons.

James Breakenridge to Haldimand

QUEBEC, 2nd August, 1782

May it please your Excellency:

Being honored with the trust of communicating to your Excellency the present sentiments and wishes of the most respectable men and the major part of the populace of Vermont, I am at liberty to give you the following true information.

Those people being sensible of your Excellency's past indulgence to them in sparing their lives and properties when it was in your power to have destroyed them. I apprehend that they sincerely wish for a continuation of your Excellency's clemency in such manner as may conduce to the honour of the King and their own happiness, and I sincerely believe they will most readily and chearfully acquiesce in any measure your excellency shall recommend for the furtherance of a reunion, provided the same can be adapted in such a manner as not to expose them to the destructive rage of the neighboring colonies. From my knowledge of the present disposition of the people I conceive the authority would willingly confirm the reunion in a private manner and sign the most solemn ratification that may be required, provided the same be kept under a cloak of neutral-

¹ *Canadian Archives*, B-177-2, p. 404; also Wilbur Photostats, University of Vermont.

ity on a suspension of hostilities which could be made public in a declaration from your Excellency setting forth that motives of humanity and compassion for a helpless people on the frontiers was the moving cause.

This, may it please your Excellency, I humbly conceive would not only confirm that people in the King's interest, but soon draw thousands from the other Provinces whom the ruling men, now (by the private union) become King's Ministers, could easily mould into the same peaceable and loyal sentiments.

James Breakenridge's son was a messenger in the British service and carried the proceedings of the Assembly and Council to Canada.

On August 11, Haldimand wrote Carleton, giving him the contents of Breakenridge's letter. He wrote again of his embarrassment and hopes for intelligence:

I have written to the Governor and Allen assuring them of protection and support from the King's government while they continue in their present sentiments, and that every act of hostility shall be cautiously avoided on my part until infringed on theirs, or that some public event shall make the contrary my duty, and I have left to the Governor to promulgate this declaration or not, as he shall judge fit.¹

About this time Haldimand received a letter from Lord Shelburne (who had succeeded Germain), dated April 22, marked 'Most secret,' with news of a French fleet fitting out to attack Quebec. It contained the important information that the Government had changed and did not want force used to subject the colonies: 'The offer made in your proclamation, published among the Vermontese, is totally repugnant to these resolutions. . . . If you are attacked on that side, it becomes indispensable to engage those hardy people by every possible means to join in defending your frontier.' Shelburne notified Haldimand that the King had granted the latter leave of absence, as Sir Guy Carleton would go into Canada, in case it became the seat of war.²

Haldimand answered this communication with a four-page letter about Vermont and repeated what has already been recorded. 'I am persuaded they have been temporizing from the beginning waiting the event of the contest and seeing

¹ *Canadian Archives*, B-146, p. 14.

² *Canadian Archives*, Q-19, p. 257; also Harvard Library, *Sparks MSS.*, vol. 45, part 2.

they have nothing to expect from the Congress (let the contest terminate as it may) they now make a virtue of necessity.' ¹ Haldimand wrote Chittenden on August 8, as mentioned in his letter to Carleton. ²

Sherwood wrote Ethan Allen on August 8, pretending to give him a general idea of the negotiation in its present crisis. It was written to hold his interest, and contained nothing new. ³ Haldimand also wrote him on August 9, but was non-committal, saying, 'I have an entire confidence in the continuance of your efforts for that happy end' [reunion]. ⁴ Haldimand wrote Lord Shelburne, August 15, relating the last news from Vermont by the spy, Breakenridge, who reported, 'it was not thought proper or safe to take any action for reunion at the June meeting of the Vt. Assembly. Washington being at Albany has alarmed the people of Vermont as he did not take any notice of them by message or otherwise. The Agent [Lansing] mentioned in my former letter was very impatient for an answer and gave some hints of disgust and jealousy at my delay.' ⁵

Judge Wells wrote Sherwood and Smyth on August 22, recommending opening a trade with the people of Vermont. 'Government purchase a quantity of salt and sell it to such as stand in need. If peace is declared, it may perhaps be hereafter at the election of the inhabitants of Vermont whether they will be under the government of Great Britain or of Congress. Sentiments of the people much altered of late.' The letter informs them of the violent tumults in the New England States preventing the courts from sitting. 'People furious at the heavy taxes.' Mentions 'a gentleman [Luke Knowlton] will soon visit Canada.' ⁶ Sherwood dispatched Wright on August 27 with a flag to Major Brownson, requesting him to come to East Bay landing and get Lansing and Breakenridge. 'These gentlemen after conferring with the Governor the Allen's etc will get every possible intelligence and send back by Wright. Breckenridge will send a trusty man to Philadelphia and Washington's headquarters.' ⁷ Sherwood informed Mathews that Smyth, on September 7, wrote Mathews, 'A Mr Caldwell a loyalist who came in while we were at

¹ *Canadian Archives*, 2-20, 108.

² *Ibid.*, 2-20, 194.

³ *Ibid.*, B-177-2, 428.

⁴ *Ibid.*, 2-20, 197.

⁵ *Ibid.*, 2-20, 189.

⁶ *Ibid.*, B-177-2, 452.

⁷ *Ibid.*, B-177-2, 470.

Crown Point, says that Mr. Chittenden and the principle people of Vermont are our friends; that Mr. Chittenden told him in Confidence, it was not safe to send dispatches to New York through White Creek, best way was through Vermont.' ¹

On September 8, Haldimand wrote Carleton, informing him concerning Wells's proposition for trade and 'desires to know if he approves.' ² Haldimand knew that Carleton was in great favor with the present Government in England and did not desire to take any measures without his approval. On September 15, Smyth wrote, 'Mr. Knowlton has arrived. Will follow Chittenden's suggestion about sending dispatches. Send newspapers delivered by Major Brownson to my son. He and Genl. Allen and others was then going with a strong party to establish the English laws throughout the State of Vermont. Affairs appear in our favor.' ³ The British continued to receive reports favorable to annexing Vermont.

Report of Roger Stevens, Scout

ST. JOHN'S Sept 11th 1782

While I lay in the State of Vermont I found $\frac{3}{4}$ of the inhabitants would secret me and give me provision. I had a very good opportunity to find out all the inhabitants as I roade on horseback at nights for a great distance about amongst them.

This part of the inhabitants that is not reconciled with government nor there own leading men found out I was amongst them, and one Capt. Safford did collect about twenty men and surrounded several houses for to take me, but he could not. Then he proceeded to follow the rode and the lake and wood, where he thought likely to find me. . . .

Pritchard's report, trip to New York

ST. JOHN'S 17th Sept. 1782

After I left St. John's I proceeded to Castleton, where I was well received by Col. [Isaac] Clarke, who immediately gave me every assistance in his power to forward me to New York. He furnished me with his horse and great coat and recommended Col. Ebenzer Allen to me as a faithful and honourable man. At the request of Mr. Clarke, Col. Allen Conveyed me to the sea shore, unnoticed by any but his friends. Mr. Allen returned with me to his own house, from whence he conveyed me to the Lake. Mr. Allen is ready on the shortest notice to serve government, and he requested me to acquaint Gen'l Haldimand that he wants his person and property pro-

¹ *Canadian Archives*, B-177-2, 476.

² *Ibid.*, B-146, 17.

³ *Ibid.*, B-177-2, p. 486.

ected and helped from the Lake Shore to this Province, as he has sold his estate and took live stock in payment. All I can say of Mr. Allen is that I believe him to be a good man.

Pritchard also told Smyth that he had dined with Colonel Squire, one of the leading men in Berkshire County [Massachusetts], who had told Colonel Ebenezer Allen in public that he was in favor of a free trade with Canada. Pritchard gave it as his opinion that 'it would bring thousands to good terms,'¹ verifying Wells's recommendations.

On September 24, Knowlton, who was in Canada, wrote to Haldimand reiterating what Wells had written regarding trade and requesting that 'he be supplied with a press to take back, to publish a paper and pamphlets to promote the interest of his Majesty's government.'²

Allen was occupied with the Auditors, Isaac Tichenor, Amos Robinson, Micah Townsend, Jonathan Brace, and Colonel Brush, who were to have assembled at his office in Sunderland on July 24, but did not reach there to begin the audit until August 1. Brush and Brace left before the audit was completed, and on the 9th, when completed, 'Tichenor was for taking the minutes, . . . and going home; the other gentlemen proposed an account current to be drawn and signed by the Auditors, which was opposed by Major Tichenor: Robinson and Townsend insisted they would not go home until they had something official to shew the People.' Allen then issued an address in which he mentioned the number of times he had petitioned the Assembly for a full settlement and narrated the effort of Tichenor and others at the February session of the Legislature, during his absence attending Congress, to blacken his character and question his honesty. This was published in a pamphlet of twelve pages and printed by Judah P. Spooner, Westminster, and circulated throughout the State.³

The citizens of southeastern Vermont were strong partisans of New York, and many disturbances occurred. Clinton's letters encouraged them. Isaac Tichenor was appointed by the Legislature to go to Brattleboro, Guilford, and Halifax and explain the proceedings of Congress in a true light. He

¹ *Canadian Archives*, B-177-2, p. 499.

² *Ibid.*, p. 506.

³ Printed in full in Chapter XII, page 473.

came back without apparently having convinced the inhabitants of their errors.

On August 14, Ira Allen was appointed by the Council to go to the same place and 'observe the motion of the people that were in favour of New York in order for the governor to determine when to carry into effect certain acts of the legislature.'¹ He left at once and returned on the 27th. On the 29th, a special session of the Council was held at Elias Gilbert's house in Manchester. It was resolved to raise two hundred and fifty troops, one hundred and fifty out of Colonel Walbridge's regiment and one hundred out of Colonel Ira Allen's regiment, which consisted of eight hundred men from the towns of Arlington, Sandgate, Sunderland, Manchester, Dorset, and Rupert. Governor Chittenden was advised to appoint General Ethan Allen to command these troops. General Allen was given a commission and instructions, September 2, and on September 9, with his 'posse' of mounted men, he marched into Windham County,² and in characteristic manner succeeded in quelling the mobs. All the ringleaders were arrested and, the court having been ordered to sit at Westminster, they were at once tried, convicted, and sentenced, some to banishment, others were fined, and in some instances property was confiscated.³ Ira Allen spent sixteen days on this mission and undoubtedly, as he had in 1779 on a similar expedition, directed the enterprise. New York at once obtained affidavits from the principal actors in this movement and forwarded them to Congress with appeals for a decision in the Vermont controversy. Clinton advised the inhabitants of eastern Vermont to abstain from force except in self-defense. About this time New York relinquished her claim to far western territory. This action pleased many members of Congress and was either a fortunate or a shrewd move on the part of James Duane and others.⁴

On October 10, the Legislature and Council met at Manchester. Thomas Chittenden was again elected Governor and Ira Allen Treasurer and member of the Council. Ira Allen

¹ Vermont, Miscellaneous; Ira Allen Accounts (*Force Transcripts*), no. 16.

² Timothy Phelps, High Sheriff of Windham County, in his statement to the Grand Jury stated that Ira Allen was in command of the troops.

³ Vermont, *Records of the Governor and Council*, vol. 2, p. 163.

⁴ *Madison Papers*, vol. 1, p. 470.

took a prominent part in all of the legislation and was on most of the joint committees. Several tax measures were introduced and passed at his suggestion. No Board of War was appointed and no action taken for defense. It was 'Resolved that his Excellency be requested to discharge all the troops.' The authorities began to realize the importance of the service rendered by Ira Allen in his negotiations with the British. On October 17, in joint committee Ira Allen, Moses Robinson, Paul Spooner, and Dr. Jonas Fay were appointed agents to go to Congress. Tichenor was a member of the House, but, this time, received no appointment as agent. On October 18, a committee from the Assembly waited on Ira Allen to ascertain if he would accept the office of Treasurer. After the February action of the Assembly, Allen very likely had given notice that he did not choose to carry that burden any longer.

On October 21, Ira Allen, Surveyor-General, 'delivered in a stating or situation of the lines of the several towns within this state,' with the resignation of his office. On October 22, the Assembly, in making a grant of land, appointed Luke Knowlton, of Newfane, one of a committee of three to decide certain questions regarding it. This is the first mention of Knowlton in the Journals of the Vermont Assembly. He was not a member of that body. Moses Robinson, Jonas Fay, and John Fassett resigned as Judges of the Superior Court, but they were prevailed on to serve until the next session. Ira Allen was unanimously elected Surveyor-General. The Governor was requested to issue a commission 'to Hon. Ira Allen Esq. Surveyor General,' for the purpose 'of making a complete survey and chart of the State.'

There were no newspapers published in Vermont at this time. Several attempts had been made by individuals and committees had been appointed to arrange for a press, but all efforts had failed. On October 18, Ira Allen, as chairman of the committee appointed for the purpose, brought in a report recommending that the Assembly appoint three of its members with power to make a five-year contract with some printer, agree to pay him three hundred pounds, and in addition give him all the public printing. This report was read and approved. Aided by State patronage, for five years Spooner and Green removed their press from Westminster to Windsor in 1783, establishing the *Journal* two months after

Haswell and Russell had established the *Gazette* at Bennington. In 1787 the contract with Spooner was renewed for three years. Almost all the acts passed dealt with taxes, granting fees, and town lines, all pertaining to the office of Treasurer and Surveyor-General. The measures passed indicate that the Assembly was in entire accord with Ira Allen. Any two of four agents appointed could, when directed, go to Congress 'vested with powers as plenipotentiaries to negotiate the admission of this state into the Federal Union.' The agents received private instructions, 'and in case of such agreement, in behalf of this state to sign and ratify articles of federal union. . . . But you will make it a condition not on any account to be dispensed with, that this state be admitted free from arrears of the Continental debt already assumed, this State discharging its own debts.'

'On motion of Isaac Tichenor, resolved, that Col. Allen, Mr. Tichenor, Mr. [N] Chipman and Judge [Moses] Robinson . . . draw a letter to the President of Congress, acquainting him with the late disturbances in Windham County.' It was a great concession for the opposition to make to name Ira Allen on this committee. Abel Curtis demanded the yeas and nays on that part of the report giving the agents to Congress plenipotentiary powers; and this vote is an indication of the strength of Allen and Chittenden in this Assembly. There were thirty-seven yeas and fifteen nays. Tichenor did not vote, and Curtis and Chipman voted 'No.' The fees allowed the agents were ten shillings a day and expenses. The Assembly adjourned October 24, having been in session two weeks.

In the meantime the men from Windham County, who had been banished from the State, were not idle. They went at once to Governor Clinton, of New York, and made strong affidavits. One affidavit from Timothy Phelps gives the names and office of those taking part, accusing them of 'murder and leveling [levying] war against the United States': Moses Robinson, Chief Judge, Fassett and Dr. Fay, Side Judges, John Gould, Clerk; 'Ira Allen was their commander in the military line.'¹ Governor Clinton sent these affidavits at once to Congress,² where they were received about September 20. From Halifax a petition was sent to Governor Clinton, signed

¹ MSS., Library of Congress; also Wilbur Photostats, University of Vermont.

² *Weare Papers*, vol. 11, p. 55, New Hampshire Historical Society.

by 'Sam¹. Bixby Clerk, Convention,' praying for assistance. It recited how some were banished, estates confiscated, and '150 head of cattle besides sheep and hogs' were driven off and sold.² This was accompanied by an affidavit of Thomas Baker and David Lamb.³

On September 30, Jacob Bayley wrote the following letter to Governor Clinton, of New York, plainly evidencing his enmity to those trying to save Vermont and make it an independent State:

NEWBURY, 30th Septem. 1782

Ten days since I had intelligence which I depended upon from St. Johns that the Enemy were moving in force up Lake Champlain that an expedition southward from that place would the tenth of October take place, also that a force was going by way of Oswego at the same time which I sent immediately to his Excellency. . . . Yesterday the bearer Capt. Snyder with four others arrived here from Canada whose information reduces the designs of the enemy, to almost a certainty. . . . Will not the enemy try to destroy Albany and establish Vermont this season as well to support Vermont in opposition to Congress as to support and establish the extended government of Quebec by the Quebec bill, it appears to me that Britton mean to declare the thirteen states independent as soon as they can make them small; and is it not our wisdom to see to it that we hold at least to 45 degrees N. Latitude, I wish I had time and capacity to write matters as I think they stand with Britton, Vermont and the United States. Sure I am that Congress are to have been imposed upon by Vermont and much deceived by them and the world will soon see it. I have said and wrote everything in my power but in vain. I lay on my arms night and day being in danger both from Britton and Vermont for what I have said and done in opposition to them both. One son in S. Johns naked on my account and not suffered for three months to walk out of their guardhouse. I should be glad to receive advice from your Excellency and am happy if I may subscribe myself. . . .³

P.S. this minute I have certain intelligence that the enemy are determined to destroy Albany this fall. that Vermont will make a great noise by calling in the militia, etc. but you may depend it will not be to oppose the enemy but to deceive the populace and prevent the militia from assisting you.

This letter was sent to Congress, November 5; the committee of Congress brought up the resolution of the 17th of April. Consideration was postponed by a vote of seven to one;

¹ MSS., Library of Congress; also Wilbur Photostats, University of Vermont.

² *Ibid.*

³ *Ibid.*

there were two not counted and two States divided. Georgia was not represented. New York was the only State voting 'No.' In view of all the exaggerated statements made recently, as previously told, this vote indicates that a majority of the Continental Congress were inclined to recognize the independence of Vermont. The necessary nine votes, however, could not be obtained. Duane then made several other motions, all of which were defeated. On November 25, Alexander Hamilton, delegate from New York, took his seat. The Vermont debate was continued, and an effort was made to have Congress declare Vermont in contempt for confiscating estates and banishing persons favorable to New York. Resort to force was urged to compel obedience. New Jersey, referring Congress to its resolutions of the 7th and 20th of August, declined to vote for any act 'which might oppose force to the Authority of Vermont.' ¹

However, on December 5, Congress passed a resolution declaring that, unless Vermont ceased exercising jurisdiction over citizens claiming allegiance to New York and at once return all the confiscated property to Church, Evans, Phelps, and Shattuck, 'the United States will take effectual measures to enforce a compliance with the aforesaid resolutions, in case the same shall be disobeyed by the people of the said district.' ² This resolution was adopted by the votes of New York and New Hampshire, notwithstanding Congress voted September 24, 1779, that neither of them 'shall vote on any question relative to the decision thereof.' These resolutions were sent to Washington, to be forwarded to Governor Chittenden, and the Governor's receipt was given to Congress, January 15, 1783. On December 17, the subject came up again, but nothing was done. Isaac Tichenor appeared at Philadelphia, but not in any official capacity. On December 9, the New York delegates sent the resolutions of the 5th to Clinton. 'We can not however absolutely rely upon the execution of the coercive part of them. . . . A considerable part of the army interested in lands in Vermont. . . . important they should be secured at all events . . . confirm titles unfettered by any conditions.' ³

¹ *Madison Papers*, vol. I, pp. 209-12.

² *Journals of Congress*, of given dates.

³ New York, *Legislative Papers concerning Vermont*, no. 2457.

'The people of Vermont were already prejudiced against the proceedings of Congress; these resolutions could not fail to impair all that remained of reverence and respect.'¹

The coercive measures proposed by Congress did not frighten the Vermonters. The Council met on January 10, 1783, and 'on motion ordered that Col. Ira Allen and Thomas Tolman prepare and complete the draught of a remonstrance or letter to the Hon. President of Congress.' Ira Allen had foreseen the need for such a presentation and had been working, since January 1, on a form which at this time must have been prepared, as it was dated January 9, 1783. It was a clear, forceful statement, unanswerable from a legal standpoint. When received by Congress it was referred to a committee. The 'Remonstrance'² had a wide circulation, and many printed copies were distributed in the Continental Army.

Washington wrote Congress, February 7, 1783, that he had seen the 'Remonstrance,' and stated, 'Duty as well as inclination prompts me to lay before you my letter and the one it was an answer to.'³ Washington also wrote on February 11, from Newburgh, to Joseph Jones in Congress:

I am about to write you a letter on a subject equally important and delicate, which may be extensive in its consequences serious in its nature . . . shall confine himself to facts. . . . How far and by what means coercion is to be extended. The army . . . will be the answer . . . large interests of New England people in Vermont lands, in which I am sorry to find, the army in some degree have participated. . . . Country settled by New England men. . . . it is not a trifling force that will subdue them, even supposing they derive no aid from the enemy in Canada. . . . It would be an arduous task. . . . The country is very mountainous, full of defiles, and extremely strong. The inhabitants a hardy race, composed of that kind of people who are best calculated for soldiers; in truth who *are* soldiers; for many, many hundreds of them are deserters from this army, who, having acquired property there, would be desperate in the defense of it, well knowing they were fighting with halts about their necks. I am not intimately acquainted with the sentiment of the army. . . . too delicate to agitate for information. But I have heard many officers of rank . . . express the utmost horror of shedding blood

¹ Allen's *History of Vermont*, p. 236.

² Vermont, *Records of the Governor and Council*, vol. 3, p. 254; also Vermont Historical Society, *Collections*, vol. 3, p. 315. The original, signed by Thomas Chittenden, is in the *Papers of the Continental Congress*, no. 40, 2, folio 351. See Appendix, 1783.

³ *Washington Papers*, Library of Congress.

in this dispute. Can not say there would be difficulty with the army if ordered on this service, but I should be exceedingly unhappy to see the experiment. Copies of the Remonstrance were disseminated through the Army. . . . The design is obvious.¹

On February 27, 1783, Jones answered Washington's letter, saying:

I think you need not be uneasy . . . that the army . . . will be employed [against Vermont] at least for some time to come if ever. Virginia has generally been among her opponents, not so much, perhaps, upon the question of independence, as the unpolicy of her admission into the Union while several very important questions of local concern remained undetermined. If Vermont confines herself to her limits, . . . by patient waiting the convenient time, may ere long be admitted. The influence Vermont has gained in the army, and in some of the states that espouse her cause, do little credit to the parties concerned; and to this influence is in a great measure to be ascribed the variable, indecisive conduct of Congress respecting the claims of that people. The remonstrance states the receipt of *official* letters recommending a compliance with the act of Congress, and intimates yours to be of the number; and that these communications influenced them to comply. [Washington's had great influence on them, they could not think of him as a tool of Congress.] The assertion is wrong as to yours, and may be equally false as to the others, and is one proof, among a variety of others, of the disingenuity and want of candor in Vermont. It exhibits, also, very little respect to that body, when they ascribe their compliance to other motives than the recommendation of Congress.²

Vermonters had long before lost all respect for Congress. These proceedings, and especially the letter of Washington and its reply, have been given rather fully as they pay tribute so splendidly to Ira Allen's astuteness. When he was almost alone in managing these matters, he made friends with the leading men in the States that he visited and he sold land where he thought the sale would do the most good for the State. It is remarkable that the small number of men who had controlled this frontier community had so conducted its affairs that they not only had alarmed the British, but had seriously disturbed and intimidated the American governing powers. When it is remembered that this apprehension was an impression rather than a certainty based on warlike acts of Vermont,

¹ Sparks, *Life and Writings of Washington* (Boston, 1853), vol. 8, p. 382.

² Sparks, *Correspondence of the Revolution*, vol. 3, p. 557, Library of Congress; also Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 3, p. 264.

it is the more remarkable, and no tribute is too great to pay to Ira and Ethan Allen, Thomas Chittenden and Jonas and Joseph Fay. Ethan worried his opponents by his forceful energy, while Ira, more adroit in his policies, circumvented their every move. Chittenden acted courageously and promptly, and Dr. Jonas Fay was always ready with suggestions and aid in the composition of all State papers and letters. Not one of these men was appreciated by Washington and his associates, who afterward formed the Federalist Party. These Vermonters were Jeffersonian Republicans and most of the leaders who created the State affiliated with that party.

In an unsigned letter, dated August 10, 1782, Ira Allen wrote Sherwood favoring the exchange of Captain Simeon Smith, of New York, saying, 'It would answer a political purpose . . . Our political affairs wear a promising aspect, a few months have demonstrated that the sentiments of men may be changed.' ¹

Haldimand, in a letter dated October 25, said:

Without exciting them [Vermont] to any steps which might tend to an open rupture with the Congress or declaration for the King, I endeavor to keep alive that spirit of discontent, which prevails amongst them against the measures of Congress and that desire of reunion with the Mother Country, which they lately testified and which perhaps is only restrained by that despondency and doubt of protection on the part of Great Britain, which is so prevalent over North America.²

On November 4, William Marsh reported there had been a great change in the sentiments of the people. 'Many of those who had of late been my greatest enemy have been among the first to take me by the hand and bid me welcome. Not a frown during his stay. . . . Major Gideon Brownson very friendly. . . . Gives full information.' ³ Reports from all quarters showed that people in northern New York and in Vermont wanted to trade with Canada; did not want to sell to Washington's army and take public notes.⁴

Haldimand, at the request of Ira Allen, would not permit trade to be opened.⁵ Haldimand wrote to the Ministers for instructions regarding trade with Vermont, but mentioned

¹ British Museum, *Haldimand MSS.*, 21837.

² *Canadian Archives*, 2-20, 317.

³ *Ibid.*, B-177-2, 575.

⁴ *Ibid.*, B-177-2, 558-60.

⁵ *Ibid.*, B-139, 221.

that 'Ira Allen is rather adverse . . . being apprehensive it will draw on them the resentment of Congress.'¹

Haldimand to Governor Chittenden

QUEBEC, Nov. 8th, '82

I have been favored with your letters of the 16th and 18th of Oct. and feel a pleasure in having been instrumental in the relief of many poor sufferers and that my inclinations have been so justly construed, and so well received by their connections.

I enclose for your information a list of all the prisoners now remaining in this Province, No. 1, contains those who remain by choice, which has [been] particularly communicated to their friends by themselves in writing. No. 2, I have from motives of humanity, as well as of duty detained, persuaded from their characters that their enlargement would tend rather to enflame than conciliate the minds of their neighbours, already distracted and heated by resentment. I am sorry it happens that some of your district are in this list; were it possible to influence their conduct by yours, or the advice of liberal, well disposed persons, I should not hesitate to let them accompany the others, but my duty from the cautions I have had, absolutely forbid it.

There are some others who have been permitted to return, who I am informed have made very violent declarations against persons of different principles in their neighbourhood.

I trust, Sir, to your particular attention and interference to prevent anything of the kind, which must hereafter discourage the humane purposes of relieving the distressed.

Governor Chittenden to Haldimand

ARLINGTON, Dec. 16th, 1782

I have been honored with your Excellency's letter of the 8th ulto, enclosing returns of the prisons yet remaining in your province, and with respect to those contained in your Return No. 1, who you represent, incline to remain in that Province, on account of their connections, etc., and I have nothing further to desire.

In your return No. 2, you observe the crimes of some which you detain supposing their enlargement and return would tend rather to enflame than conciliate. I am not insensible, Sir, how far some individuals of this State have during this unnatural contest, by their conduct rendered themselves obnoxious to British Law (Henry and John Lovell and Winthrop Hoit).

But it is with too much satisfaction I have experienced your humane and benevolent intentions towards prisoners, hitherto so well succeeded, not to feel concern at the reserve, when I view it will produce apprehensions here, unfavorably in their consequences. Had your Excellency appeared less determined to such a step, I flatter myself our sentiments might have closed in their liberation on

¹ *Canadian Archives*, B-56, 30.

condition of their returning thro' this Town, on their way home. I could add farther but proceed to assure you that it is my invariable practice to prevent as far as comes within my knowledge the ingratitude complained of in the close of your letter.

In November, Pritchard tried to take a quantity of beef into Canada. It was brought to Lake Champlain by Ebenezer Allen, Isaac Clark, Jesse Sawyer, and others. Pritchard was reprimanded for this. He stated that while Ebenezer Allen and Clark had been 'violent persecutors of his Majesty's subjects . . . they are now firmly attached to government.'¹ It was reported that 'Chittenden had imprisoned all who could be found concerned in shipping this beef and their effects are to be confiscated. Nichols with Pritchard has a lot of counterfeit money to buy goods in Montreal.'² Ethan Allen, in a letter unsigned, written November 22, had warned Sherwood that Pritchard and Nichols were talking too much, 'which had exposed him and others to great danger.'³ This letter was not received until December 2.

Ethan Allen also wrote a letter, dated October 16, unsigned, and written as if by one traveling through Vermont. He recited all that had been done since the first of the year, closing with these words: 'The Western Union (so called) is an object yet dear to Vermont and the more so, as the people in general, are anxious for joining it.' He then gives as the opinion of others that the British Government in 1774 or 1775 granted all northern New York and Vermont to Philip Skene. 'If a copy of this [charter] could be obtained, Vermont would undertake to establish jurisdiction over the territory. It would raise a spirited debate in Congress and make a division in Congress more pointed and determined than ever. . . . It might prevent their being admitted into the Union. But in that case the other New England States would not make war on Vermont.'⁴

This letter was answered November 29, 1782, assuring General Ethan Allen of Haldimand's 'perfect confidence' in him, and promising that he should have 'every protection and favor which his Excellency's recommendation to the Crown can assure.' His 'conduct as far as can relate to the interest

¹ *Canadian Archives*, B-177-2, 601-06.

² *Ibid.*, B-177-1, 614.

³ *Ibid.*, B-177-2, 598.

⁴ *Ibid.*, B-175, 166; original, British Museum, 21835.

and safety of your people, will, in great measure, be guided by such information as he shall from time to time receive from you' and expects Allen to be 'frequent and explicit.' He has written to Major Skene and hopes to have news by next spring. He will not admit of trade while 'it can militate against your interest,' but he has applications from northern New York 'and even below Albany. . . . Pray turn this over in your thoughts and confer . . . and let us know . . . whether furnishing privately from time to time the people of New York State and Vermont, with a little salt and other necessities, will be of service' . . . He wants 'no supplies in return,' as he 'has an abundance of everything.' The end of the letter, marked 'Private,' noted that Messrs. Cosset (an Episcopal minister from Connecticut River) and Summers have just arrived and that they claim [to have knowledge] of Vermont affairs; 'When any person comes from the State of Vermont whom you have confidence in that you will signify it by a line or some other token in future.'¹ Haldimand, who at this time had never met either Ethan or Ira Allen, liked Ethan Allen's frankness and direct promises, and, as he could get very little assurance from Ira Allen, he endeavored to know more of Ethan. His spies undoubtedly reported that Ethan was the dominating figure in Vermont, and Ira in his dealings encouraged this idea.

Ethan Allen replied December 20, 1782, and advised a private trade with New York, but it must not be done through Vermont or by persons who would have to get permits from Governor Chittenden to pass into Canada. Washington and his Council would call it 'sufficient reason for a subjugation' of Vermont.² This letter was signed 'XX.'

Ira Allen wrote Sherwood and Smyth, October 20, but they did not receive the letter until late in November. He made some complaints which their answer will indicate. He also mentioned the desirability of getting copy under British seals of the Skene grant, if it existed. If he could get it would undertake to 'release our loyal friends and others from paying any Continental taxes in that vicinity.'³ Their answer of November 30 states, 'we never knew, nor heard of your having

¹ *Canadian Archives*, B-175, pp. 300, 303.

² *Ibid.*, B-178, p. 11; also British Museum, Additional MSS., 21838.

³ *Ibid.*, B-175, p. 174; also British Museum, Additional MSS., 21835.

apple trees on the Onion River, nor has the carrying off any such nurseries come to our knowledge. In future a caution will be given to our soldiers not to meddle with any fruit trees in or about that place.' He was surprised at 'your paragraph, respecting plundering . . . surely no doubts can remain with Vermont of his Excellency's forbearance in that respect.'¹ During all this turmoil, when the fortunes of Vermont hung in the balance, Ira Allen was setting out apple trees on his land on the Onion River and watching over them.

Sherwood and Smyth to Ethan Allen

LOYAL BLOCK HOUSE

Dec. 28th, 1782

DEAR SIR:

I have received his Excellency's commands to inform you how greatly he is concerned and displeased to find that some busy persons have without his knowledge and contrary to his express orders, taken upon themselves to encourage trade with your people, in consequence of which Mr. Holmes has brou't some beef here, but it has all been by his Excellency's commands sunk in the bottom of the Lake, under the ice and Holmes is a prisoner at the Isle aux Noix for further examination, so that you may rest assured that proper measures will be taken to prevent any ill consequences. I can likewise assure you that the blabing Nichols was never employed by any authority from here. What the Mr. Pr'd has done from his own interested views, I am not able to say, but this I have authority to say, that no improper unguarded persons will ever be employed from here, and that those who have proved themselves to be such, will be prohibited from going into your neighbourhood, on any pretence whatever.

Nichols came here with Holmes, I suppose, on the plan of Trade, but as he had no share in the beef, he has gone back. We are satisfied that he is a dam'd fool and a conceited blockhead, you may be assur'd he was never employed but only by Pritchard and that he never will be suffered to interfere again on any pretence whatever. Capt. Sumners and the Rev. Mr. Cosset have been allowed to collect some debts, procure some clothing for themselves, prayer books and pamphlets for the encouragement of religion and to negotiate some of the clergys back salarys etc., etc., and it is easy to suppose they would have been glad to have negotiated a trade here, but they have found no encouragement. They appear to be very sensible, worthy men. His Excellency has a good opinion of them, but not having any intimation of them from you, he has been very cautious. It is a pity you did not mention them. That Capt. is shrude and clever and the priest very honest and sincere. For God's sake, in future should any men come from you that you wish the Gen'l should

¹ *Canadian Archives*, B-175-82.

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be before with, send some token by them. These gentlemen have gone back as ignorant as they came. Did you wish they should be thus treated or not?

J. S.

Sherwood to Mathews

LOYAL BLOCK HOUSE, 31st Dec. 1782

SIR:

Since my last packet, I have found time to converse with Capt. Butterfield, who brought Ethan Allen's letter and he informs me that the prisoners alluded to, in Gen'l A. . . . letter are the two Lovels and Hoyts, that the Govr. wished they might be brou't to him by Butterfield, who was meant by the bearer, etc., in the private letter, and if the Govr. cannot model them into a proper temper, they will be sent back prisoners; that the reason of the Govt. and A'n interesting themselves in behalf of these men, is the repeated solicitations of Esq. Lovel and Hoyt's wife's friends, who bear a good deal of sway in the State. He says he is authorized to tell me for his Excellency's information that the Commanding officer at Saratoga, keeps constant small scouts out, some to Ticonderoga and Chimney Point, and some lurking in the N. Western parts of Vermont, that this is done from the instigation of the New York authority, who have forewarned that officer, that if he could intercept a packet from Canada, it would discover the secret intrigues of Vermont. The Govr. has instructed Butterfield, that should he be intrusted with any private dispatches from here, he must not venture farther south than Otter Creek and there take the woods. He says the steps taken with Holmes will be exceedingly agreeable to the authority of Vermont, but he thinks they will wish to have him sent back by and by in an easy manner and as well satisfy'd as the nature of the cause will admit. His reason for this is, that there is nobody of consequence in Vermont but knows that all who were concerned in the trading scheme, were led into it by two of our officers (Pritchard and Stevens); the latter has not said anything in favour of it, since last spring, but Capt. Pritchard made above fifty bargains, when he went through Vermont. He sent word by Doctor Washburn to Major Fay and to him (Butterfield) that they could make a great proffit by buying furs from Canada, and that if they could employ him, he would bring a thousand w't of beavers fur, at a time for them, and deliver it at East Bay.

. . . Capt. Butterfield informs that the French troops (about 3,000) were cantoned for some time, at and near Boston, but that about three weeks ago, they were all removed into Connecticut. . . .

. . . He says the accounts in the rebel papers of the repulse before Gibraltar are indisputably true, that it is generally believed and reported in the country that the loss of the Spaniards amounted to 5,000 men killed and taken. . . .

The enemy retreated precipitately in the greatest confusion. Lord How did not pursue them, but went immediately to the relief

of the besieged in consequence of which the Spaniards raised the siege in haste. He says Gen'l Allen advised him not to assert this for certain, but to say that it was so privately and circumstantially reported by the most sensible and leading men in Boston, that there was every reason to believe it was true. . . .

J. SHERWOOD

Endorsed; from A. 1782. Capt. Sherwood, 31st Dec., R. 8th Jan. '83.

Ebenezer Allen wanted to open a trade with Canada without the knowledge of either Ethan or Ira Allen.¹

Rev. Mr. Cosset and Benjamin Sumner, who were in Canada at this time, wrote to General Haldimand 'that Roger Enos Esq. late Brigadier General, in the state of Vermont, will raise and bring to headquarters, a regiment of foot, during the war, provided himself and officers may be on the British establishment.'² Sumner is described by Sherwood as being 'endowed with a great share of penetration and good sound sense, . . . he is exceedingly cunning and has a peculiar art.'³ Sumner reported that 'Chittenden informed him very particularly of their reasons for appointing commissioners to Congress, that Mr. Spooner was not a good subject, but it was necessary to appoint him to prevent a suspicion and that all the other commissioners being good men they would easily overrule him, and that they were sufficiently instructed what rock to split on at Congress.' 'Sumner thinks if there was nothing to fear from other states Vermont would declare for government in less than three months.' He cannot believe the leaders are deceitful. Sumner thought it might be possible to win over General John Sullivan, of New Hampshire. Congress had treated him shamefully. 'He had more influence in New Hampshire than almost any other man.'⁴

Rev. Mr. Cosset made a declaration about Roger Enos, who had recently joined his church. Sherwood wrote it was easy to perceive by his own relation, that Enos's sole views in suffering himself to be converted, was to gain the good opinion of a man who had influence with General Haldimand. In view of Enos's later relationship to Ira Allen, part of this declaration as made is given herewith:

Gen'l Enos is a man of great abilitys and strict honour but very ambitious, he wishes to raise himself by his own activity and merit

¹ *Canadian Archives*, B-177-2, 681.

² *Ibid.*, B-175, 185.

³ *Ibid.*, B-177-2, 641.

⁴ *Ibid.*, B-177-2, 662-80.

above the Gov'r. and the All'ns of whom he is jealous, that they have kept their pollitics from his knowledge, through a suspicion that his superior abilitys would eclipse them, but Mr. Cosset is positive that Enos is well pleased with the plan persu'd by Gen'l Haldimand with Vt, as far as he has any knowledge of it and that he has not the least intention to make a schism, or to dive into a knowledge of the negociation. He believes that Gen'l Enos considers Al'n as his rival and considers himself neglected in not having the lead in the Vermont Politics, and that to raise himself in Gen'l. Haldimand's favour (as he thinks Allen has done) he makes the following proposals, which he hopes and expects will be excepted, viz;

He will raise and march into Canada a Reg't of 700 men on their own expence, provided he may go about it soon, and on conditions of having his own expence remited to him, when he renews his commission of Lt. Col. Command' of the Reg't and that himself and officers have rank and half pay on the American establishment. He will raise the reg't in Connecticut State under pretence of making a secret expedition to distress the frontiers of Canada and to endeavour to discover the secret plans of Vermont, and he will propose to have no other pay than the plunder which he can take in Canada. He will send hostages before him to Gen'l Haldimand to secure his faithful performance of whatever shall be agreed on between his Excellency and him, but he will not let Vermont know a hint of his plan, nor will he have any connection with Chittenden or the Allens on any pretence whatever; he would have them believe he is really going to Canada in a hostile manner. He expects they will constantly send messages to inform Gen'l. Haldimand that he is on his march to invade point fer, the Loyal Block House or some other out post, and he wishes they should do so, that the plan may be conducted with the greater secrecy.

Mr. Cosset fears that if Enos is not permitted to raise himself by this plan or some way by his own merit, he will, through chagrin join the rebels more warmly than ever and endeavour to revenge himself at the expense of Vermont and the friends in general. He believes him to have sufficient influence with Congress, Washington and the populace to enable him, with what knowledge he has pick'd up of the Vt affairs, to raise a force sufficient to destroy that State, and of that ambition and enterprizing spirit that he will do it, if he finds Gen'l Haldimand has rejected his offers, at least he fears these consequences.

Mr. Enos has always steered with integrity, while in the rebel service, but has always secretly inclined to Govt., with a design to join it as soon as he could consistantly with his honour and interest. Mr. Enos in conversation with Chittenden and All'n made use of the following expression to them 'Da'n you, act openly and honourably, like men; and if you are for Govt, I will join you with my life and fortune, but by G'd I do not approve of this double dealing, it is beneath me.'¹

¹ *Canadian Archives*, B-177-2, 673.

Trouble broke out again in Windham County, but Governor Chittenden was firm in handling the situation and nothing serious resulted. From Arlington on December 24, he wrote the following letter to Stephen R. Bradley.

I received your letter with the prisoner and approve of your conduct, have sent him to Bennington with my advice to Col. Robinson to call the Superior court immediately for his trial and I hope and trust that Justice will be done him. I have sent the 12 lbs. powder agreeable to your request. As to my sending or ordering a standing force to Guilford, I had rather *hang them* one by one until they are exterminated from the face of the earth. However, I wait for the returns of the officers that commanded the posse (which will soon be) to send orders to the sheriff to collect the fines and cost, when if they continue obstinate a force will accompany the sheriff sufficient to silence them. I am not without hopes that the consequences of Church's trial will have some good effect on his connections.¹

The year 1782 closed with no decision in Congress concerning Vermont. The New Hampshire delegates wrote home for instructions, but the General Assembly of that State declined to issue them. New Hampshire wanted Congress to decide whether Vermont was or was not to be a State; if the decision was against an independent State, then New Hampshire was ready to trade with New York and divide the territory between them.²

Washington wrote President Weare from his headquarters at Newburgh, December 5, 1782:

I have no doubt but there has been a great deal of illicit intercourse between some of the inhabitants of Vermont, and the enemy in Canada. The gentleman you send can not state the transactions in so explicit a manner as to fix the charge on individuals so they may be proceeded against. . . . whenever the proofs will justify . . . will use every means in my power to stop it and have the authors punished.³

George Mason, who was considered a great authority, wrote Edmund Randolph, afterward Attorney-General, on October 19, 1782, 'There is not a single word in the Article of Confederation giving Congress a power of limiting, dividing, or parcelling out any of the thirteen states or of erecting new ones.'⁴

¹ MSS., Library of Congress; also Wilbur Photostats, University of Vermont.

² *Weare Letters*, 013-24, 109, Massachusetts Historical Society.

³ *Ibid.*, 104.

⁴ Vail Collection, *Mason Letters*.

The problems presented to the founders of the new State during this year had been as difficult as any they had been called upon to solve.

The great disappointment Ira Allen experienced when the two unions he had taken such infinite pains to establish were dissolved by the Vermont Assembly, in February, did not make him less watchful of her interest. During this and the preceding year his personal interests had been neglected for those of the State. On April 10, his brother, Major Heber Allen, of Poultney, died, aged thirty-nine years, leaving a wife, one son, Heber, twenty years of age; a daughter, Sarah, twelve years of age, who married Captain Reuben Evarts in 1787; a daughter, Lucy, age unknown, but younger than Sarah; a young son, Joseph; and a son three years old, named Heman. Ira Allen, a bachelor thirty-one years old, took the wife and all the children but the oldest boy to his home in Sunderland. He gave them all the advantages obtainable in that small community and adopted Heman as his son and had him well educated. His name will appear often in the later chapters. He became one of the leading men in Vermont, honored by the people of the State many times and by the President of the United States in several appointments.

When Ira Allen learned that a politician like Tichenor could induce the members of the Assembly to pass acts hostile to the Council and to himself as Treasurer, he tried to resign his offices, but a large majority of the members prevailed on him to continue to serve as Treasurer and Surveyor-General. When Tichenor, at the June session of the Assembly, saw Allen again in control, he made a violent attack on him in the Assembly; stating that he with the other Auditors were unable to make any settlement with the Treasurer. Ira Allen denied these charges, and the Assembly, upon his request, appointed new Auditors. The close of the year 1782 found Vermont still an independent State, growing stronger every day, in spite of all the intrigues of New York and of her politicians, who were trying to control by taking advantage of the added votes of the large number of new settlers who were unfamiliar with early conditions in the State.

CHAPTER XI

BRITISH HOPES AND STATE SURVEYS

1783

THE year 1783 brought peace to the United States and thus removed Great Britain from the list of Vermont's enemies. By the establishment of the northern boundary of the United States at the forty-fifth parallel, the territory comprising Vermont was definitely placed within the jurisdiction of the United States. Apparently there were now three alternatives left open to Vermont: to become the fourteenth State; to be divided between New York and New Hampshire; or to maintain itself as a republic within the territory allotted to the United States, but not as a part of it. In the spring of 1783 only the southern half of Vermont was inhabited. 'There was not an inhabitant or building on the shores of the Lake, [Champlain] except the garrisons of Dutchman's Point and Point Auserfer.'¹ On Ira Allen's farm in Sunderland, on the main highway between Manchester and Bennington, stood a small wooden building. This one-story frame house for several years was the capitol building of the State, for it was the office of the Surveyor-General and Treasurer of Vermont. After having spent the first fifteen days of January of this year in examining the proceedings of Congress and in writing the 'Remonstrance,'² as related in the preceding chapter, Ira Allen now turned his attention to the affairs of the Treasury and from the 18th to the 26th of January in this building, heated by a small fireplace, checked over the accounts with his clerk.

The few men trying to establish Vermont were apprehensive at this time that Congress intended to order a force against them, at the insistence of New York. On January 28, at the request of the Governor and the Council, Ira Allen started on a trip to Cohoes, New York. This would enable him to ascer-

¹ Wilbur Photostats, Ira Allen to Duke of Portland, March 4, 1796, Library of Congress.

² Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 3, p. 254. Appendix VII.

tain if any preparations for such an attack were being made near Albany. He was gone sixteen days.¹

About this time a letter from Haldimand to Carleton, which was being transmitted by Judge Wells, of Brattleboro, was intercepted and a captain and guard of the Continental Army at Albany were sent out to seize him. Wells was advised, and fled for Canada. The first night he stopped 'at Capt. Otly's at Bromley' [Peru]. While at supper the Continental soldiers came in on their way to Brattleboro. Wells decided to remain and retired to his room until the captain and his men had left the next morning. He then went to Sunderland and Ethan and Ira Allen that night started him out in a sleigh for New York, where he arrived safely in a few days.²

Most of the correspondence with the British, from the fall of 1782, was carried on by Ethan Allen, generally secret and signed with eight crosses. Ethan writes from 'Poughkipsie,' January 9, to Sherwood and Smyth, telling of Vermont's expectation of invasion by the Continental Army and enclosing a handbill giving the proceedings of Congress of the previous December. He hopes they will not come 'til the ice is out of the Lake' [Champlain].³

Dr. Smyth's son Terence wrote about this time that 'the Governor of the State of Vermont and Genl. [Ethan Allen] wished him to inform Haldimand of the 'hazard they run on account of our scouts being suffered to enter so far into the state. . . . Several of our scouts has been at public dances in Arlington next door to the Governors . . . one Hurlbut . . . much given to drink.'⁴

Knowlton had been a power in making friends for the new State, both in eastern Vermont and in New Hampshire.⁵ When he learned of the order for the arrest of Judge Wells, he decided to go to Canada. He arrived at the Loyal Block House, on January 9, fatigued and almost overcome with cold. 'Mr. Knowlton brought three men to escort him (who were all rebels) by permission of Governor Chittenden.'⁶

Washington, on January 27, sent to Congress the report of

¹ Vermont Miscellaneous, Library of Congress.

² Ira Allen's *History of Vermont* (London, 1798), p. 245.

³ *Canadian Archives*, Q-21, p. 216; also B-M, 21, 838.

⁴ *Ibid.*, B-178, p. 15.

⁵ *Ibid.*, B-178, p. 338.

⁶ *Ibid.*, B-178, p. 19.

the officer who had been detailed to arrest Knowlton and Wells. Their escape was charged to information given by Jonathan Arnold, a delegate in Congress from Rhode Island and a friend of Vermont. Arnold denied this charge and stated 'he had never had any correspondence with Wells or Knowlton.' The day after Knowlton's arrival at the Block House he wrote Haldimand, giving from his viewpoint the true condition of affairs in Vermont.

*Luke Knowlton to Genl. Haldimand*¹

LOYAL BLOCK HOUSE

Jan^y 10, 1783

SIR

Having just arrived at this place, I think it my duty to transmit to your Excellency, the following narrative; on my return home took care to adopt measures to establish [a] press. Mr Townsend for the Company, agreed with the Legislature, to print a weekly paper, five years and is to have the Exclusive right of printing for the State during that time: After which he went to New London contracted for a set of Types, and press, already in the State for £160 Likewise agreed with a printer to come in six weeks from that time which was not Elapsed when I left home, which plan I expect will be carried out although there may be some embarrassments on account of the Alarm that occasioned my coming here at this time. The Measures taken with the populace has been attended with agreeable prospects There has been repeated instances of Cattle being taken for taxes when people have assembled in such a manner that those who wished to have them paid Dare not bid upon them, when they have been sold. A cow or yoke of Oxen for a few pence Particularly in Walpole East of Connecticut River (the town where Gen^l Bellows resides.) I am informed the highest Bid on the best yoke of Oxen was nineteen pence and Cows sold at five pence. Gen^l Bellows bid one Dollar for a cow which so enraged the populace that he relinquished it. After the Vendue the populace went to their Liberty pole (so called when erected) and cryed aloud Liberty is gone, Cut it down and at the fall Huzzard aloud for King George and his Laws: I am informed by a man lately an Officer under Gen^l Sullivan [who] told him that he expected to March into Vermont to subdue it. That the Governor, Allens and most of the leading men were Tories (and were determined as he believed to make an Alliance with Great Britian: I am Informed Gov^r Clinton soon after my return home, told some of his adherents in Vermont (that by persons whom he had in Canada) he knew of my treatment there, and of my being with your Excellency and I think my Informer went so far as to mention my dining at your Table; And that he had got enough against me to take my Life. Those people say, gave a warrant for me and some others, and have

¹ *Canadian Archives* B-178, p. 22.

reported he would give them one hundred pounds as a reward if they would carry me to Poughkeepsie which alarmed me so that I kept a look out; About which time one Osgood who had been trusted by the Company to go to New York with Your Excellency's Dispatches was apprehended and carry'd to Providence in Rhode Island; by the best Information that can be obtained Osgood told a person in New York his business and who employed him which person came out of New York, and was taken up and made Oath that Osgood told him that Col^l Wells and myself had given him Dispatches and furnished him with money several times That Osgood has confessed the fact some time since which we suppose was sent to Gen^l Washington's head quarters, it was kept very private. A friend happening to find out the Secret sent an express upwards of one Hundred Miles to give Information that Continental Troops were to be sent to take us so that if a Rescue was attempted it might be made A Continental Cause; this Information was received on Sunday evening 22 ult. My Informer said it might be four days before they arrived, perhaps not twenty four hours: Col^l Wells sent his son to me, Informing that he should make a push some where the next day, thought it might be to Arlington My advice was to obtain a Permit to pass to Canada, that I should set out the next day for Arlington, and call on General Allen for Advice. on Wednesday morning arrived at Gen^l Allens communicated the Affair to Him; he immediately with Major Brunson went to the Gov^r; it was thought most expedient for me and Col^l Wells, if he came to pass to Canada; the Gov^r Gave permit for that purpose. I waited for Col^l Wells till Thursday evening then rode to Gen^l Allens on Friday morning received news that Troops Exclusive of Officers had arrived at Arlington very early that morning, with a waggon Loaded with Provisions Amunition &c. Gen^l Allen and Major Brownson went to Arlington to see if they could find out their Business. A copy of their orders, they said, were sent to the Gov^r then at Bennington. They shew orders to the above named Gentlemen, the purport of which was they were to pass through the State into several Towns in order to take up Deserters from their Army; their orders they said, were accompanied with a Letter from Lord Sterling, Requesting the Gov^r to furnish them with Provisions if needed, and take orders on the Deputy Quarter Master in Albany. On Friday evening they received an answer from the Gov^r that they might be supplied with provisions that should be necessary for them, for that purpose. Saturday morning the Officer took Breakfast with Gen^l Allen, said they should pass to Manchester and there Halt and make some excursion — Sunday I proceeded to Castleton and on Tuesday morning set out for this place; had given directions if any thing happened Extraordinary to send an express after me as I could proceed but slowly: Friday evening by express from Col^l Clark. received Intelligence at New Haven near Otter Creek that the Continentals had been at my house, had got Intelligence that I had passed the Mountains; They were then at Pollet when the express came away which

was Wednesday evening and were expected at Castleton that night or next morning the express Informed me; the Gov^r (by express from Gen^l Washington) had received A resolve of Congress that those people who had been banished by Vermont, should be restored; but could not tell whether Vermont was forbid exercising jurisdiction over them in future or not. Gen^l Allen coincides with me in opinion that sending Continental Troops into Vermont to take certain persons is, that they might be opposed and so make it a Continental Cause; and that Vermont may well be alarmed and guard against such policy. I am particularly desired by Gen^l Allen to mention this, that Your Excellency may be fully satisfied that his situation is very Critical and further more Desired me to make some Apology for him that he did not write oftener and more Explicit; And gave me the strongest Assurances that he was sincerely attached to the British Government; when I informed him that Gov^r Clinton by Information had solemnly promised that if Congress did not settle the matter Relative to Vermont, in January he would march with a force himself in February and would subdue Vermont or lose his Life; he said he was not afraid to fight Clinton & all the troops he could raise within his Government if he had a sufficient quantity of powder for his Men. but if Congress should Offer Vermont Confederation he should Dread the Consequences Major Brownson Informed me that Capt Pritchard when in the Country had been very free in telling who he had seen and of whom he had received favours, and feared the consequences; Col^l Clark Desired me to mention to Capt. Sherwood and Esq^r Marsh that he had not received the present of a b^{sh} of salt from Esq^r Marsh. was credibly informed Capt Pritchard sold a b^{sh} of salt that was marked for him, to a man in Skeensborough — furthermore that he procured a horse for Capt Pritchard in a private manner to go a long journey, that the horse was to be returned to him and the hire paid, and his name was never to be mentioned — that he sent the horse by a person to him, and had not scrupled to mention his name. the hire of the horse was such a trifle he never would have mentioned it, if he had not exposed him to such a Degree. on my representing this to Capt Sherwood he Desired me to mention it to your Excellency. As to my late news I can say but little. the last accounts from Boston were, that the french fleet were still in the harbour. . . .

I have very little expectation that I can return home with safety so long as the present war Between Great Brittain and her Colonies Continues: I Put myself under your Excellencys protection and most humbly Request your excellency would be pleased to Inform me where I shall take up my Abode and how I shall subsist: and whether I can be serviceable to Government in this Province.

Captain Weatherby of Charlestown, New Hampshire, went north in January with five hundred pairs of shoes, which he left at Onion River until he could ascertain if he would be allowed to trade in Canada. He had aided in forming the East-

ern Union and was a friend of the Allens and Chittenden. His request was forwarded to General Haldimand.¹ Weatherby reported to Sherwood that General Bayley and thirty of his friends in Newbury had in a petition requested the Assembly of New Hampshire to lay claim at once to all that part of Vermont east of the range of mountains dividing the State, while New York claims all west of the center of the Range. They also advised in their petition sending three hundred French troops and three hundred men from Washington's army to Connecticut River, 'under the pretext of wintering there.' Sherwood wrote on January 16, 'I cannot believe Mr. Chittenden and the Allens deceitful, their constant perseverance, their candid, friendly treatment and advice to Mr. Knowlton and other established friends . . . it appears to me that Congress is trying every method to find proof against them, but that they dare not openly attack them on superficial evidence, for fear of the New England states whom they know to be much interested in Vermont.'²

Sherwood wrote Rev. Mr. Cosset, who claimed he had converted General Enos and who had requested that General Haldimand give Enos a command and in whose opinion General Sullivan could be won over, that Enos could not be accommodated at present; 'the good inclinations he has shown will be placed to *his credit*. You may make a tryal with Mr. S, [ullivan] . . ., you must observe the utmost caution . . . no engagements of any kind whatever are to be entered into with S. on the part of the General.'³

The Legislature of New Hampshire failed to instruct their delegates in Congress regarding Vermont; and one delegate wrote, on January 16, to President Weare that, in case Congress decided to leave the matter to be settled between New York and them, 'how ought we to vote.'⁴ Wolcott and Ellsworth, the delegates from Connecticut, were not present when Congress passed the drastic resolution of December 5, and they were much surprised when they learned of it. It was expected that the Assembly of New York would propose a convention of the New England States and New York

¹ *Canadian Archives*, B-178, p. 340.

² *Ibid.*, B-178, p. 35.

³ *Ibid.*, B-178, p. 368.

⁴ *State Papers*, Vermont Congress, 1764-91, p. 371, New Hampshire Historical Society.

to discuss matters of interest; the real reason would be to discuss Vermont's independence.¹ One of the British spies wrote Sherwood that, when he was a prisoner in the jail in Bennington, the spy Howard was taken out to be hanged. 'It was done by Genl. Stark, under the direction of Colonel Herrick and Mr. Tichenor.'² In a letter to headquarters Sherwood writes: 'Our friends in Vermont request that no recruiting party may be suffered to go into Vermont in the course of this winter, as it might be attended with very dangerous consequences to that state in its present alarming situation, . . . Crowfut informs that one Capt. Sawyer will be in here this winter under pretence of loyalty, but that Genl. A[llen] desires he may be well watched and not suffered to return, for he is a Da—d rascal.'³

On Thursday, February 13, the Council and Assembly of Vermont met at Windsor; there was no quorum until Saturday, the 15th. They did not know of Washington's fears or of the sentiment of Congress at that time as expressed to Washington by Jones.⁴ Copies of the resolutions of Congress passed December 5, and the many affidavits of those banished from the vicinity of Brattleboro, were read to the joint session of the Council and House. The Assembly began at this session to take into its own hands matters formerly left to the Governor and Council. It appointed a Board of War from its membership and decided the number of men to raise for the defense of the State. General Roger Enos was one of seven composing the Board of War. The committee 'to arrange the necessary business of the present session' recommended that the Assembly pass an act to prevent trade with the British or Canadians on Lake Champlain. Matthew Lyon, Isaac Tichenor, and N. Chipman were prominent and their recommendations tend to show that they were trying to discredit the Allens and Governor Chittenden. A resolution was passed that a committee 'take under consideration the situation of the treasury and report their opinion what measures ought to be taken to settle with the Treasurer in future and that they

¹ *Letters and Papers, 1780-1824*, 013-24, p. 116, Massachusetts Historical Society.

² *Canadian Archives*, B-178, p. 43.

³ *Ibid.*, B-178, p. 46.

⁴ Joseph Jones to Washington, 1783, February 27, *Washington Papers*, Library of Congress.

request the assistance of the treasurer in the premises and that two persons be added to said committee and that said committee make report. Members added Mr. Tichenor and Mr. Chipman.'

'The Treasurer [Ira Allen] agreeable to order brought in an act in explanation and amendment of an act entitled an act for raising 300 men, which was read, and ordered to lie on the table.'

Many who were captured and taken to Canada petitioned for full pay and to be reimbursed for arms. These petitions were generally granted and orders were given on the Treasurer. One complaint was voted 'out of doors.' An act was passed to pay interest on State notes. On a motion by Ira Allen a committee of three was appointed (E. Robinson, N. Chipman, and Abel Curtis) to state facts and report on the monies advanced the State by Colonel Allen in 1777 and 'whether same ought to be put upon interest.' This was the first meeting of the Vermont Assembly after the receipt of the resolutions of Congress passed December 5. It was well known that peace was being negotiated if not agreed on. New men were trying to take the lead in Vermont affairs. Those who afterward became Federalists saw an opportunity to discredit the Allens and Governor Chittenden by charging them with the negotiations with the British. With the desire to prove to Congress that Vermont had exerted herself in the general cause, a committee was appointed to 'draught a declaration purporting our attachment to the rights of the United States in their exertions against the common enemy.' The members chosen were Robinson, Chipman, Curtis, and Lyon from the Assembly. The first three were unfriendly to Allen and Lyon was a belligerent, enjoying a contest of any kind and wishing to be a political leader. This combination was too strong in the committee for the two members selected by the Council, Ira Allen and Joseph Bowker. Allen was influential enough to have this committee's report rejected and a new committee appointed consisting of Ira Allen, Lieutenant-Governor Spooner, Jonas Fay, Isaac Tichenor, and Abel Curtis. Spooner voted with Allen and Fay which gave control. The report of this committee was accepted and a bill passed. This report is so logical, portrays Ira Allen's knowledge so plainly, and was so important in Vermont's relations with Congress, that it is given in full:

Whereas it is represented that sundry false reports have been industriously circulated among the inhabitants of the Independent States of America, tending to excite jealousies and distrust and thereby lessen their friendship and esteem towards the Citizens of this state. . . .

Resolved, that the citizens of this state have from their first forming government uniformly shewn in a public manner their attachment to the common cause and desire of being connected in a federal union with the United States as may appear by their resolutions and other public transactions.

Resolved, that neither the Executive, or Legislative authority of this state have ever entered into any negotiation, truce, or combination with the enemies of this and the United States, except that only of an exchange of prisoners, and they are still determined, at the risque of their lives and fortunes to continue their opposition to any attempts made, or that may hereafter be made to infringe or abridge the rights or the freedom and Independence of this and the United States; Nor is there a disposition existing in this committee [the Council and Assembly] from their confidence in the good intentions of the United States to afford their aid, to propose or consent to any terms of peace or otherwise derogatory to or inconsistent with the rights, Liberties, or Independence of this or the United States of America.

The word 'this,' inserted each time after 'Independence of,' was notice to Congress that they would not compromise on Vermont's independence. Congress and Washington were awaiting the reply of the Vermont Assembly. It was a critical time; peace had not been declared and negotiations were still pending with Haldimand.

The committee appointed to prepare an address to Congress as an answer to their resolutions of December 5 brought in a report which recited the several resolutions of Congress and declared that any act of Congress which interfered with the internal government of Vermont is 'repugnant to every idea of freedom. . . . When Congress requires us to abrogate our laws . . . we can not comply. . . . We cannot but express our surprize at the reception of the late resolutions of Congress of the 5th of December, obtained *ex parte*, and at the special instance of an infamous person.' ¹ It closed with a request to be admitted to the Union of States. Its presentation roused much argument and it was discussed for several days.

As agents to go to Congress when required, Colonel Ira Allen, Dr. Jonas Fay, Moses Robinson, Paul Spooner, Isaac

¹ Charles Phelps, *Vermont Journal*, February 26, 1783.

Tichenor, and Abel Curtis were elected. Tichenor had been to Philadelphia, unofficially, and was anxious to stand well with Hamilton, Jay, Duane, and those who afterward composed the Federalists. He wanted Vermont to declare war on Great Britain.

The Assembly resolved that the Treasurer pay them in hard money and, if he did not have enough, to give them an order on the collectors throughout the State for the balance, to be paid out of the 2^d tax [hard money] levied to buy ammunition and other stores that had to be purchased out of the State. An order was issued on the Treasurer for coal during the present session.

Before adjourning, a new resolution was passed to secure a printer, the terms to be similar to the last, less the three hundred pounds bonus. Ira Allen furnished the paper for this session, but received no remuneration for it until four years later. The Assembly adjourned February 27. The members had been difficult to control. Many were newcomers and were in Vermont for personal gain, with little respect for the men who had fought for her independence. This rapid change of people and politics was occurring in all the New England States.

About this time Congress received the 'Remonstrance,' with a number of petitions from the inhabitants of Windham County to be allowed to remain citizens of New York, and with depositions complaining of their treatment by Vermont sent in by Clinton. It was referred to a committee. Congress was petitioned by New York for five hundred Continental troops, supposedly to occupy the frontier posts when the British evacuated them, but really to be used in attacking Vermont. Under the plan the troops were to be turned over to New York to be paid by that State and to carry out its orders. Washington interposed in a decided letter to Congress stating that the posts should be occupied by United States troops,¹ and a resolution to that effect was passed. Clinton, failing to get the force desired from Congress, resorted to the militia, but not of New York, since such a force could not be marched into Windham County without passing through Massachusetts, or Bennington County in Vermont, which the Governor had never found to be a safe fighting ground.

¹ Sparks, *Life and Writings of Washington* (Boston, 1834-37), vol. 8, p. 429.

Hamilton and others were urging that New York and New Hampshire agree between them to divide the State, but they misapprehended the real situation. New York had settled the eastern portion of Vermont and it was not an agreeable arrangement to turn those people over to New Hampshire and take over the fighting population west of the range. Governor Clinton decided to raise the militia among the friends of New York, along the Connecticut River. Before narrating that movement an explanation of British activities should be made.

On February 9, Sherwood and Smyth wrote Ethan Allen that his letter [January 7] was received and his observations 'very satisfactory to his Excellency . . . desires you will watch narrowly the result and communicate . . . all information . . . with your reflections thereon. You cannot act with too much caution . . . prevent in future, any persons of note from coming in here from your quarter.' ¹

Haldimand, on February 14, in a letter to Carleton, declared that his agents in Vermont write that the people are fearful of an attack by New York and Congress. He knew of New York's request regarding the posts, and wrote, 'these preparations are making to subdue Vermont as destroying the posts in question can be no object.' He did not know what to do in case Vermont is attacked, but has been 'instructed by the King's Minister . . . to do all in my power to gain Vermont or preserve her neuter by open and honorable dealings. . . . I do not think myself authorized to afford her assistance. It has been already insinuated to me that they are in want of ammunition and that application will be made to this Province for a supply. I hope this event will not take place.' ² Savage, a spy, arrived at the Loyal Block House, February 19, with news that a large number of rebels had assembled at night and reported that they were going to take Oswego, but had turned and A. [General Ethan Allen] thought were about to attack the Block House and other advanced posts. It was done so secretly that A. knew nothing of it. A. would 'avoid hostilities as long as possible.' Sherwood, transmitting it, writes this postscript to his letter:

Genl. A [Ethan Allen] forbid [Isaac] Clark coming here; . . . Mr. Savage says A and Major Brow [nso]n are as zealously attached to Government as any men can be; the Governor is not so firmly fixed

¹ *Canadian Archives*, B-178, p. 67.

² *Ibid.*, Q-21, p. 205.

in principle, but will be governed by A and his own interest. Col. Clark will be where he finds the strongest force and would, he believes, kill his father for money; about one third of the ruling men are for government from sound principles, another third from their attachment to Vermont, and aversion to N. York the other third he thinks will be guided by the fortunes of war — the common people will accept any government rather than New York.¹

Sherwood reported, March 4, that Knowlton thought he could open a correspondence through Judge [Simeon] Olcott with Livermore, the New Hampshire member at Congress, 'a good loyalist and a great friend to Vermont.'²

On March 10, they received papers sent up from Vermont containing the King's speech for peace; Sherwood wrote:

I hope however with Mr A [Ethan Allen] that it is not genuine. . . . I wish it may be in your [Mathews'] power to give a word of comfort to Mr. Knowlton and our friends in Vermont but I little expect it. You will see by Mr. Wright's report that Mr. A is determined at all events not to do anything in future, respecting political matters but from his Excellency, General Haldimand's directions, to whom he looks up as the guardian of that people.³

Wright's inclosed report stated:

I saw General [Ethan] Allen, he was afraid to write anything on account of the York scouts, in about three weeks . . . would write at full length on every subject. He . . . desires Capt. Sherwood will inform General Haldimand that the Vermonters rely wholly on his Excellency to represent them in such a manner to the King, that they may be considered as his Majesty's Government in a general peace, as they are determined they will never voluntarily unite with the American states.

Although there are some few men in the state, who for selfish views endeavor to make a schism in favor of Congress. For instance in last session of Assembly Genl. Enos, Mr. Tichenor and Mr. Chipman moved for a formal declaration of war against Great Britain, but had no supporters.⁴

Sherwood wrote Mathews on March 14, that

a Mr. French . . . has just arrived, . . . accompanied by Col. Ebenezer Allen, who says he came as his pilot; this is the same Allen who treated me so very ill, when I was on the first flag. It is so painful for me to see him, that I can hardly treat him with common civility; however, he now pretends to be very much attached to the King's government and says the Vermonters are universally for British

¹ *Canadian Archives*, B-178, 88.

² *Ibid.*, B-178, 112.

³ *Ibid.*, B-178, 120.

⁴ *Ibid.*, B-178, 122.

government . . . that General [Ethan] Allen will shortly be their Governor under the King. I am satisfied their business is more to enquire about trade than any thing else.¹

Ira Allen, who had had no political correspondence with the British since October, 1782, wrote Sherwood and Knowlton on March 24, that, if they could procure him a loan of from one hundred to not more than one thousand guineas, he would pay six per cent interest and out of the lands he would buy with it, would present each of them with a good farm.²

Sherwood wrote Mathews April 10, he thinks 'so long as there is a door open for Vermont to look to Great Britain,' the States are afraid to move against her, but when that is closed, 'Vermont will be the first object which will engross the attention of Congress.' He hoped the King had laid a claim to that district. 'I enclose . . . a very singular letter from Colonel Ira Allen,' requests what answer to make if any.³ Soon after the receipt of this letter, peace was announced and it is doubtful if any reply was made; none has been found.

Peace between Great Britain and the United States had been signed in November, 1782, the cessation of hostilities was not proclaimed by Washington until April 19, 1783, so the following was written before news of peace had been received in Canada, though evidently expected. March 25, Sherwood replied direct to Ethan Allen and not Ira Allen as has sometimes been stated. It was the last letter written by Haldimand's direction regarding the effort to unite Vermont to Great Britain. It follows in full and has never before been published:

SIR:

I have faithfully transmitted to his Excellency the Commander in Chief, your verbal message by Mr. Wr. and am commanded to acquaint you that actuated from the beginning, by a sincere desire of serving you, and your people, as well as of promoting the royal cause, by re-uniting you with the Mother Country, His Excellency never lost opportunity of representing every circumstance that could be advanced in your favour, to the King's Ministers in the hope of accomplishing a reconciliation and persuaded himself of the candour and sincerity of your professions however unfortunate they have been by delays and untoward circumstances. His Excellency will continue by such representations to do all in his power to serve you, but what effect it may have at this late period is very uncertain.

¹ *Canadian Archives*, B-178, 133.

² *Ibid.*, B-178, 363.

³ *Ibid.*, B-178, p. 162.

While his Excellency sincerely regrets the happy moment, which it is much to be feared cannot be recalled for restoring to you the blessings of a British Government, and views with concern, the fatal consequences approaching which he has so long and so frequently predicted from your procrastination, he derives some satisfaction from a consciousness of not having omitted a circumstance, which could tend to your persuasion and adoption of his desired purpose. In the present uncertain state of affairs uninformed as his Excellency is of what is doing, or perhaps done in a general accommodation, he does not think fit, untill the result shall be known, to give any opinion, which may influence you, perhaps to the prejudice of your interests, or that might interfere with the views of Government. If the report, now prevailing has any foundation, a very short time will determine the fate of Vermont and in the interval his Excellency does not see anything that can be done to serve its unfortunate inhabitants.

I have endeavoured to send Mr. Wr. punctually at the time appointed and request you will for your own interests continue a steady and confidential intercourse through the same channel. The fortune of war is still uncertain and should anything favourable present, you may depend on his Excellency's utmost endeavours for your satisfaction.

I am, etc., etc.

J. S.¹

Ira Allen wrote in his 'History':

'The preceding letter, under the circumstances it was written, shews the generous conduct of General Haldimand, in the course of these negotiations, and a friendly liberality in cautioning the people of Vermont to be on their guard for new events. The facts are, that these negotiations, on the part of Vermont, were from necessity, as has already been shewn; on the part of the British, they were to carry into effect the object of the war; from different motives those measures were carried on in such ways as the parties could agree for their mutual interest, on the strictest principles of honor; and when peace was proclaimed, impressions of friendship remained between the parties, as several interviews between General Haldimand and Colonel Ira Allen afterwards fully evinced.²

A letter was found in the British Archives, written from Arlington, April 10, 1783. It is unsigned, but on the bottom is written 'General Haldiman' instead of General Haldimand. This name is unmistakably in Ira Allen's handwriting, and such misspelling was characteristic of him. The letter is in the handwriting of Thomas Tolman. It is a friendly letter sending the latest papers and mentioning the great increase in population in the State, the failure of Willet against Oswego,

¹ *Canadian Archives*, B-178, pp. 151-52.

² Allen's *History of Vermont*, p. 244.

and suggests that Montreal would have been his next attempt if he had succeeded. It closes with 'I shall be much obliged to your Excellency to transmit me when in your power a circumstantial account of Governor Skenes Charter,'¹ which evidently was the main object of the letter. The Government of Vermont was desirous of obtaining a copy of this Charter if issued, to use supposedly against New York in Congress.

Ethan Allen met the loss of his former influence with the Legislature, composed of new men in the State, far differently from his brother Ira even to the extent of being careless of his own safety at times, as the following letter to Sherwood and Knowlton illustrates. He had evidently heard of the peace to be announced the next day and was celebrating that event.

*At a Tavern at Manchester half over
seas the 18 April 1783*

GENTLEMEN:

The sudden alteration of political matters in America makes it needless for me to expatiate on policy. The die is cast, the peace is taken place and the United States are acknowledged independent of Great Britain. How Vermont as a body politic or as individuals will fare, time and future scenes must determine.

In the mene time, I assure you that Vermont are determined not to unite or confederate with Congress. At all events they keep an eye on the accumulated debt, and good people are flocking into the State. But our enemies are busie and so are our friends, which will produce something by and by, I have verbally sent unto you by Sav-ge Esqr. and by the bearer.

The scene is changed and Vermont must do as well as she can and in the mene time feel the highest obligations to their friends and will not confederate with Congress come on what will but will be Independent of Independency. I shall take another opportunity to write more fully and am Gentlemen with due respect

Your Obedient and Humble Servt²

To J. S. and Nol-on.

Sherwood forwarded this letter to Haldimand April 27, and gave Ethan Allen's verbal message sent by Savage who brought the letter. General A[llen]

earnestly requesting that the loyalists in Canada, who do not choose to return to the colonies may be settled near the line adjoining Vermont and signifying that it is determined in the private cabinet of Vermont to give every possible encouragement to loyal subjects

¹ British Museum, *Haldimand Papers*, 21835; *Canadian Archives*, B-175, p. 188.

² *Ibid.*, 21838; also *Canadian Archives*, B-178, p. 173.

now in the Colonies to remove into the northern parts of Vermont. . . . By this policy he (A) thinks there may soon be a party found in opposition to Congress, sufficient to bring about a revolution in favor of Vermont uniting with Canada and becoming a British government . . . without touching or injuring the faith of the British Government as the King nor Parliament need not be concerned in the matter.¹

May 9, Sherwood sent in a report of a Mr. Adams

that he was desired by Governor Chi. . . n and Genl. A. . . n to acquaint me they intended to take a tour to Onion River soon and should send a canoe from there soon to inform me of their arrival and to request me to meet them as they wished to converse with me on some political subjects. . . . Genl. A—— further directed him to inform me that he really believed the war would break out again, in which case Vermont would immediately and publicly refuse to take any active part until a favorable opportunity should present for the King.

May 10, Sherwood reported that Colonel Ira Allen with a party was coming the next week to survey Grand Isle.²

On May 29, from Bennington, Ira Allen and Joseph Fay wrote Haldimand asking for a contract to supply the troops in Canada with beef.³ The following day, from Sunderland, Ethan Allen wrote to Haldimand that the King's troops might like some fresh beef; 'by the 10th of July young cattle will be tolerable beef.' He recommends Colonel Ira Allen and Joseph Fay 'as proper persons to procure and deliver the beef.'⁴

These letters were sent to Sherwood with the following:

Since the war has closed, it becomes every one to turn his eye towards the objects of peace in the persuit of an honorable support. In this we shall not enter on politicks; but propose for your consideration a contract for supplying the troops in Canada with fresh and other provisions, which will be done upon as reasonable terms as possible, to be delivered at such times and place as shall be agreed on, perhaps this subject may prove worthy your attention in case you choose to retire from the service in the line.

Sherwood was requested to forward their letter to Haldimand and send word by bearer, David Fay, his opinion of whether their request will be granted. 'You will please make our best compliments to Doctor Smyth and others of our acquaintance

¹ *Canadian Archives*, B-178, p. 185.

² *Ibid.*, B-175, p. 193.

³ *Ibid.*, B-175, pp. 199-202.

⁴ *Ibid.*, B-175, pp. 199-202.

and accept us to be your real friends, Ira Allen, Joseph Fay.'² Sherwood was absent when their letters arrived June 7, but Dr. Smyth forwarded the letters to Haldimand with the comment that David Fay 'speaks but little, but says Vermont are determined to fight the thirteen states, if they mean to oppose them.'² The roads were filled daily with people emigrating into Vermont.³

Haldimand did not reply directly to either of the letters. Mathews, his secretary, wrote Ira Allen and Fay that the answer to General Ethan Allen's letter would be shown them, 'which renders a repetition of His Excellency's sentiments unnecessary here.'⁴ Smyth wrote the sentiments of Haldimand to Ethan Allen in a letter dated June 21. Mathews wrote it and Smyth copied and signed it.

His reasons for not immediately accepting of your proposals are in fact on account of the King's stores already very plentifully stocked with provisions and no less than 21 victuallers arrived and are in the river. . . . It will afford him pleasure to give his friends there every indulgence in his power and to do them that justice which he believes their inclination, tho' unhappily not executed, merits. By the tenor of his Excellency's letter to me, I think it is impossible for him to enter into any contract for the troops, nor would he wish from the reasons which prevent it, to flatter any one in their views, as the price of provisions in this province must inevitably fall. I am of opinion that should it be worth your while to send in any quantity of beef or some milch cows to take the chance of the market, that his excellency would not be averse to it, nevertheless, I believe he would not wish to have it hurried into execution, as a very short time must ultimately determine the affairs still depending, or at least, as yet, unknown to him.⁵

A kind letter full of suggestion for their guidance. The conclusion is shown in this letter of Joseph Fay to Mathews from St. John's September 5.⁶

SIR:

You have doubtless been informed before this of my being in this Province for the purpose of disposing of a few head of oxen, brought from Vermont, the property of Col. Allen and myself. I have so far completed my business, that I propose to leave this place tomorrow, on my return; I shall take it as a particular favour, if you will please

² *Canadian Archives*, B-175, p. 203.

³ *Ibid.*, B-178, p. 213.

⁵ *Ibid.*, B-175, p. 205.

² *Ibid.*, B-176, p. 214.

⁴ *Ibid.*, B-175, p. 203.

⁶ *Ibid.*, B-178, pp. 253-54.

to communicate to his Excellency the Commander in Chief, my thanks for the particular favour shewn by his Excellency's permission and the assistance which he was pleased to order in transporting our drove across the Lake, Altho' the market has not proved so advantageous as was expected, yet, you will be pleased to assure his Excellency, that I feel myself laid under the most sacred obligations and entertain a most grateful sense of the favours which he has been pleased to confer, and only wish for an opportunity of testifying it in a manner more acceptable to him. . . .¹

Final peace between the United States and Great Britain was concluded on September 3.

General Enos arrived at St. John's September 5, with letters from Rev. Cosset and Mr. Sumner.² On the 10th Smyth received orders to let him pass on to headquarters and at the same time he wrote Mathews: 'Genl. Enos you will be guarded against, as I think he is a self instructed gentleman; and I must assure you that I fear the many schemes upon foot will be prejudicial and create discord.'² There is no record of Enos's statement while in Canada. His errand, whatever it was, was futile. Haldimand knew his record in Vermont.

Lord North, then Prime Minister in England, wrote Haldimand in answer to a letter, 'No assistance can be given to the inhabitants of that State, [Vermont] to enable them to act against the Americans.'³

In a private letter to Lord North, dated October 24, Haldimand summarizes his impressions of Vermont:

Since the Provisional Treaty has been made public, several persons of influence in the state of Vermont have been here at different times. They all agree in describing those people as very adverse to Congress and its measures. . . . They give great encouragement to the Royalists from the neighboring Provinces to settle amongst them. . . . They make no scruples of telling me that Vermont must be either annexed to Canada or become mistress of it, as it is the only channel by which the produce of their country can be conveyed to a market, but they assured me that they rather wished the former. They are really a hardy, enterprising people and, though it was in my power with the greatest ease during the war to destroy such of them as should settle on Lake Champlain, it was with great difficulty that I could deter them from attempting it.⁴

Haldimand gave orders that, in case Colonel Ira Allen or others wanted to survey or settle on Grand Island, they were

¹ *Canadian Archives*, B-178, p. 253.

² *Ibid.*, B-178, p. 255.

³ *Ibid.*, Q-21, p. 285.

⁴ *Ibid.*, Q-22, pp. 85-90.

not to be molested. In the same letter to General Baron de Riedesel he wrote, 'Being apprehensive that Dr. Smyth's warm and honest resentment might prevent that appearance of amity, which it now becomes our duty to observe with the Americans, the inclosed letter to himself is left open for your perusal and I wish your orders to the Commanding officer of that Post to be to the same effect.'¹ This order is an additional illustration of the fact that General Haldimand was a man of broad and liberal principles and was not influenced by petty animosities.

The peace treaty put an end to the war as well as to some of the embarrassments of Congress regarding Vermont. Union with the other thirteen States was not desirable at this time. Vermont was happy in being free from the load of debt which lay upon the United States; and was not called upon by Congress, as were the other States, to raise money. Vermont did not have the credit to contract any large debt and the people felt they were in a better condition than they would be if connected with the Union, at least 'until the United States should establish a more permanent constitution, liquidate and provide ways and means for the discharge of their debts. This policy, being adopted by certain persons [the same who had made the State] in Vermont, was steadily pursued by them.'²

One of Vermont's problems at this time was the resignation of sheriffs and judges. It required a brave man to execute the laws against some of the lawless in those days, but the difficulty was only temporary; the vacant offices were filled and the laws were executed.

Ira Allen's influence over the people began to wane. As Treasurer, he was obliged to execute the laws in the collection of taxes. Many of the new settlers had moved into Vermont to avoid paying the high taxes of the thirteen States. Vermont being a republic, many of the newcomers may have thought that, as this State had levied no taxes during the early days of the war, there would be none now; or, if there were taxes, that they would be slight as compared with those levied by the United States. The following statement was issued by Ira Allen, accompanied by the laws on this particular levy:

¹ *Canadian Archives*, B-139, p. 335.

² Allen's *History of Vermont* (London, 1798), p. 247.

The Treasurer takes this method to inform the public, that in pursuance of advice received from the Governor and sundry members of the Council and Assembly, he shall, by himself or assistant, make a tour through the counties of Windham, Windsor and Orange, for a settlement with the respective Collectors of State Taxes, and to receive in public securities, and give notes on interest, agreeable to an Act of Assembly. Punctual attendance will be given at the following times and places . . . (dates from July 7, to 31.)

This publication, &c. has been delayed, as the business could not be accomplished until several acts of assembly were printed, and distributed to the several towns. The Collectors will observe, that by the acts herewith to be distributed, the authority and selectmen are authorized to make abatements in part of the taxes, and that no time ought to be lost: As I have been directed, by the legislature, to give out Executions against the delinquent Collectors, after the rising of the last session of Assembly, and that in obedience to the Legislature, I may not suspend Execution after the first day of August next, when it will be improper for the Sheriff to receive bills of abatement.

That the Collectors who have out of their own money, or other taxes, paid the arrearages of taxes that they could not collect, may be equally benefited with others, in the aforesaid Act of Abatement, and to prevent any misunderstanding, I recommend to all the Collectors to attend (by themselves or others, at time and place aforesaid,) with all their Receipts and Bills of Abatement, and when it may be necessary, I will be at the trouble of taking up the Old and give New Receipts, so as to accommodate them.

Those who are possessed of Public Securities will be careful to exchange them for Notes by the first of August, or they will lose the interest from the thirteenth of February last, until they are exchanged.

Notes are to be given for this State's Paper Currency.

Those that have notes or receipts in this office, will observe, that I am directed by the Legislature, to sue up all such notes or receipts that are not taken up by the first of August next.

The Gentlemen in the aforesaid Counties may find their notes and receipts at the respective times and places above mentioned.

No Bills of Abatement will be accepted but those that are according to Law.

IRA ALLEN, *Treasurer*

TREASURERS OFFICE, SUNDERLAND

May 27, 1783

These measures were taken in these three counties to conciliate the turbulent citizens residing there. To further appease them and induce them to attend on the dates named, Thomas Tolman, the paymaster of the militia, added at the end of the Treasurer's handbill.

Notice is hereby given to the Officers and Soldiers of the troops of this State, who served in the years 1780 and 1781, and who have not applied for a settlement of their accounts for such service, that, in order to accommodate those living in the Counties of Windham, Windsor and Orange, settlements will be made with such as apply, or send proper Orders, at the times and places above ordered by the Treasurer.

PAY OFFICE, ARLINGTON

June 3, 1783

N.B. All orders must be signed by the soldier himself, specifying the regiment, company and year in which he served.¹

On June 18, Ira Allen started for Quebec to consult General Haldimand in regard to opening trade, as Vermont could do no business to the south. Albany and the region below were hostile and the few boats on the Hudson would favor New York produce. Vermont soon realized that the strain of economic pressure was harder to bear than that of war. War burdens were unequal, but economic burdens pressed down upon all. There was no place for that part of Vermont lying west of the central range of mountains to seek trade but in Canada, and Ira Allen was the first to undertake it. He arrived at the Block House, July 2,² on his way to Missisquoi with Butterfield, to survey that country, and had not seen Sherwood's letter of March 25 to Ethan Allen. Smyth allowed him to pass through to headquarters, but he could not have gone at once, for on July 7, from Loyal Block House, he wrote the following letter, evidently to Mathews or General Haldimand:

Since my arrival at this place have met Mr. David Fay, who informs me that Major Fay has in consequence of his Excellency's approbation purchased a drove of fat cattle and sheep, which will shortly be at Crown Point, on their way to this province. The proposals are to Risque the market and by the assistance of the Commodore Continue the business so long as it will answer. This procedure will, I am sensible, lower the price of beef in this province, which will be to the advantage of those who purchase of the inhabitants. I suppose that approbation will not be given to others to bring beef . . . into this province until a free trade is opened. I thought proper to transmit this information as I would wish to preserve a good understanding. I have the honor to be with sentiments of the highest respect.³

¹ *Vermont MSS.*, New York Historical Society; also Wilbur Photostats, University of Vermont.

² *Canadian Archives*, B-178, p. 222.

³ British Museum, *Haldimand Papers*, No. 16; also *Canadian Archives*, B-175, p. 215.

This letter was forwarded from Montreal where Allen went to confer about trade with merchants. He visited Quebec and had an interview with General Haldimand; it was their first meeting and must have been an interesting one. There is no record of it in General Haldimand's papers, but in Ira Allen's statement of expenses is this item, 'June 18, to 35 days going to Quebec by direction of the Governor and Council to see Genl. Haldimand on Matters of Commerce.'¹ It is supposed that it was at this meeting that Allen first mentioned the project of building a canal from Lake Champlain to the St. Lawrence River, as General Haldimand had his engineers survey and report on the project.

Ira Allen owned the town of Alburg, and he and Butterfield went there and put William Dunton, a surveyor, at work surveying the town. A Colonel Caldwell, one of the Council of Lower Canada, claimed it and, after Allen left, he sent soldiers and took Dunton prisoner. The latter was released, but prevented from continuing, and Caldwell proceeded under protection of British soldiers to survey and settle the lands of Alburg. 'Thus at the point of bayonets in time of peace Col. Caldwell took possession of Alburg in the United States in 1783.'²

When Ira Allen arrived at Shelburne, on his way home, he wrote to Smyth, under date of July 26, that a messenger had met him from Governor Chittenden telling of the arrest by supposed British soldiers of a Mr. Whipple, but he is sure this was not done by General Haldimand's orders.³

The following letter indicates Allen's appreciation of the advantage of interesting men of means (though they were Tories) in Vermont at this time. As he had made the State politically important, he now wanted to make it commercially strong:

SUNDERLAND, August 25, 1783

GENTLEMEN,

By recent information by James Savage, Esq., I am informed that the King's troops will soon leave New York and that there are a number of wealthy merchants and others, some of which left the

¹ *Vermont Miscellanies*, No. 197, Library of Congress.

² Ira Allen, *Statements Applicable to the Cause of the Olive Branch* (Philadelphia, July 7, 1807), p. 8.

³ British Museum, *Haldimand Papers*, No. 38; also *Canadian Archives*, B-178, p. 247.

State of New York on being scrupulous about taking a certain oath and who have not taken arms during the war, that wish to become citizens of this State. The reciprocate interest of those gentlemen and that of this State are such that should they apply to the Legislature at their next convening, it cannot fail of ending in a happy union and am fully sensible that such a measure would be countenanced by most of the men of influence and a large majority of the people of this State. The Legislature will convene on the second Thursday of October next at Westminster which will be their first session since the news of Peace, consequently it will be necessary for them to repeal some former acts respecting Trade with the Province of Quebec and turn their attention to the interest of the State in times of Peace in their present situation being without any alliance and almost clear of a public debt; in this Deliberation it will be natural to consider what will add to the wealth and strength and unanimity of the States. Should you think this State an object worth your attention, would recommend to you that you lose no time in repairing to this place where you might be further informed and that you might have time to return to New York and consult your friends there and if you should then think proper for you and them to apply to the Legislature at the time above mentioned.

I have the honour to be with due respect

Your most obedt Humble Friend

HENRY VAN SCOICK
DAVID VAN SCOICK

IRA ALLEN *

On arriving home about the 3d of August, Allen at once took up the task of arranging the accounts of the Treasurer's Office for a settlement with the Auditors; this occupied his time until the Legislature met in Westminster, on October 9. Isaac Tichenor was a member from Bennington and was chosen Speaker. There were sixty-two members from forty-six towns and many were new men. Members, who had been active in previous sessions, like Matthew Lyon, were not present. Abel Curtis was dead. Ira Allen was one of the committee to count the votes. Chittenden was elected Governor and Ira Allen, Treasurer and member of the Council. The Council of 1782 was reëlected. Micah Townsend was appointed Secretary of State. Tichenor was appointed one of the members of the 'Pay Table,' a term used for a committee of three who passed on all expenditures. He was also made one of the Auditors to settle the Treasurer's accounts. A speedy settlement of accounts by the Treasurer was prevented by Tichenor, who made use of the delay to further his

* Vermont (*Force Transcripts*), Library of Congress.

own political ambition at the expense of Allen. Ira Allen was one of the committee 'to arrange the business of the house'; but could not always cope successfully with the Speaker in handling the new membership.

Some of the important measures to be considered were that 'Some effectual means be taken to quiet the present Disorders in the Southern part of Windham County.' Auditors to report 'whether they have completed a settlement with the Treasurer and others.' 'That it be determined what money shall be a currency in this State.' 'That provision be made for quieting antient settlers and that the law be opened for the trial of land titles.' 'That proper measures be taken to compleat the survey of this state.' (Some people sold lands on their own survey. When the Surveyor-General resurveyed their lands and disclosed that they were not in the towns granted to them, they appealed to the Assembly.) 'Resolved — that a committee of three be chosen to confer with the Treasurer and devise some method in which the Treasurer may be enabled to issue his warrants for collecting the arrearages of Provision due on the list of 1780.' A committee from Assembly and Council, of which Ira Allen was a member, recommended a tax of ten shillings per one hundred acres on most of the northern towns like Burlington, Williston, and Colchester, and five pence on the pound on the list of 1783 'to be paid into the Treasury, on or before the first day of January next in this state's notes and other securities against this state.' Also a tax of three pence on the pound in hard money on the list of 1783. Stephen R. Bradley was ordered to draw the bills as above.

Governor Chittenden presented a memorial 'requesting this House to take under their consideration some losses he sustained in his salary by the depreciation of money and also his arrearages of salary for two years.' The committee reported:

That his Excellency's salary from October 1778 to October 1779 be one hundred pounds lawful money, and that he be allowed the sum of twenty pounds lawful money for services mentioned in a memorial of his Excellency dated 29th September 1783 and that the Treasurer be and he is hereby directed to pay the same accordingly. . . . That the salary for the year 1781, which is £200 lawful money and the salary for the year 1782, which is £150, being £350 lawful money in the whole be paid, the one half in forfeited rights of land

in the town of Carthage, at nine pounds per right and that the other half in state notes given by the Treasurer.

This report which was accepted gives an interesting side-light on the times. The members paid themselves in hard money, but were willing to pay the Governor with land or depreciated currency. However, as Mr. Chittenden was a shrewd man, it may be safely assumed he was not the loser by approving the above resolve.

The Assembly elected Ira Allen, Moses Robinson, Stephen R. Bradley, Isaac Tichenor, and Paul Spooner delegates to the United States Congress, to attend when necessary. The Assembly also elected in joint session three of the men previously named, Robinson, Tichenor, and Spooner, to go to Congress as agents, to negotiate for the admittance of Vermont as a State of the Federal Union. Whether Ira Allen refused to go as agent with Tichenor, or whether he was unable to carry this vote, is not disclosed by the records, but having been elected a delegate, he apparently preferred to be left out as an agent.

The following message was received from the Council, namely:

IN COUNCIL, WESTMINSTER
October 21, 1783

A Bill from the Assembly was read purporting a request to join a committee of Council for the purpose of forming an Act to prevent the return of inimical persons into this state.

This bill was undoubtedly prepared by Tichenor but the Council refused to join the House and were opposed to passing such a bill, as neither Congress or any other State had done so. When this objection of the Council was read in the House, the following resolution was passed, which, in a way, was an affront to the Governor, but he seems to have paid no attention to it:

Resolved, that his Excellency the Governor be and hereby is requested to omit giving any persons within the enemy's lines, who have been deemed enemies to this and the United States, a permit to return and be in any part of this state until the further order of this House thereon.

It was voted to raise one hundred men to enforce obedience to the laws in Windham County, and the Governor was

authorized to issue a proclamation offering a pardon 'for all offenses committed against this state to those persons in the southern part of Windham County who have heretofore opposed this government and shall take an oath of allegiance . . . within thirty days.' On October 24 the Legislature adjourned to meet the third Thursday in February, 1784, at Bennington. On the last day the Council passed resolutions empowering 'Ira Allen Esq,' Surveyor-General, to hire surveyors to run town lines, purchase stores and supplies and he was authorized to draw on the Treasurer for three hundred pounds. A township had been granted to one Major Woodbridge in October 1781, but the fees had never been paid. The Surveyor-General was authorized by these resolutions to sell State land and use the money to pay surveyors engaged in surveying town lines. Allen, not being able to sell the land at the price named by the Legislature, advanced his own money rather than stop the work. Not receiving sufficient money as Treasurer to reimburse him, he took this town at the same valuation it had been granted by the Legislature, in part payment of the sum he had advanced. Tichenor and others made much capital out of this transaction and it was the cause of Governor Chittenden's defeat for Governor in 1789.¹

Stephen R. Bradley had presented his bill to the Assembly for services in attending Congress in 1779, and 1780, traveling to Philadelphia on horseback three hundred and sixty miles and return, as well as money paid out in having 'Vermont's Appeal' printed. This bill was referred to a committee of which Ira Allen was Chairman. His recommendation as to amount due Bradley was accepted and an order issued on the Treasurer for it. Bradley was paid the day after the Assembly adjourned. The settlement involved over five hundred pounds and dissatisfaction with this result may have been the cause of Bradley's later conduct toward Allen, especially in the Woodbridge matter. Ira Allen describes the situation as follows:

It became necessary after the close of the war, to run the Town-lines of the towns granted by New Hampshire, in the Northerly part of the State, as well as the lines of the towns granted by the state of Vermont. The Surveyor General was directed by the Legislature, to open some leading roads for the convenience of transporting

¹ Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 3, p. 33.

stores, and that the proprietors might the better find their lands, and by settlements thereon, prevent settlements under the claims of New York. These measures met with constant opposition, as they drew into activity different interests, for there were grants made by Vermont, running over the preceding grants, made by the late colony of New York, and a number of people living in the state deeply interested in the New York grants, who were no doubt stimulated to exertion, by others who lived out of the state. Whether Isaac Tichenor, Esq., was employed as a lawyer by the Yorkers, to oppose running townlines, or whether he did it to raise a party and popularity, is best known to himself; but the facts were, he made every opposition to running such lines, he conveniently could.¹

Ira Allen was constantly employed now in the Treasurer's office and in directing the surveys being made. There was only one other meeting of the Council held that year, on November 26.

Notwithstanding the pardon extended to the adherents of New York in Windham County, they became very aggressive. On November 16, they attacked Luke Knowlton's house in Newfane and carried him off to Massachusetts. A force was ordered out to rescue him, but was not needed, as he was released and returned home. Shattuck and Charles Phelps, who had been released, were arrested and confined in jail at Westminster. This episode closed the stormy year of 1783.

During this year Ira Allen bought and sold lands in all parts of Vermont. He was at this time the largest landowner in the State, besides holding lands owned by the estates of his brothers and Remember Baker. In July he was appointed by the proprietors of the two islands in Lake Champlain called the 'Two Heroes,' to lay out the township.

In the *Vermont Gazette* of September 18, published in Bennington, a writer signing himself 'Constitutionalist' published an article largely devoted to the discussion as to whether one man should hold the office of Treasurer and Councilor:

I beg leave to say, the same gentleman as if able to sustain the burden of an ass, has been loaded with the business of an agent to Congress, Agent to the State of New Hampshire, etc. etc. It is not my design at present to enquire what occasioned his appointment to these several offices or what continues him in the possession of them, sufficient it will be to show that these appointments were unconstitutional and therefore in their own nature void.

¹ Ira Allen, *Statements Applicable to the Cause of the Olive Branch* (Philadelphia, July, 1807), p. 3.

In the *Vermont Gazette* of December 4, a list of deficiencies of State taxes granted by the Legislature of 1781, 1782, is printed and signed by Ira Allen, Sunderland, November 18, 1783. Following the list is a statement by Ira Allen, part of which is given herewith:

Notwithstanding the complicated embarrassments this state has labored under in the course of the late war, emerging from a well regulated mob, claimed by adjoining states, making use of every machination in their power to overturn this government; Resolutions of Congress have been passed tending to counteract the policy of this state and to render their government contemptable, by encouraging malcontents etc., in the most critical period of the war; continental troops, stores and 'tobs' were ordered out of the frontiers of this state and she left to defend herself against a powerful and enraged army in Canada, whose object appeared to be to lay this country waste, in order to pave the way to wreck their vengeance on the cities of Albany and Schenectady. The good people of this state roused by a sense of their danger, with a generous resentment for the ill treatment they had received from those whose friendship they conceived themselves justly entitled to, in virtue of their brave exertions in the early capture of Ticonderoga and Crown Point battles of Hubbardton, Bennington and Ticonderoga landing, assisting in the capture of General Burgoyne etc. Being blessed with spirits that would best glow in adversity and necessity that darling mother of invention, together with the love of their country, persevering, defended the frontiers of Vermont, rendering essential services for the safety of the frontiers of the neighboring states, securing the independence of this, and leaving the state but with an inconsiderable debt to discharge on the blessings of peace. Can this be accounted for without acknowledging the propitious agency of Deity? I am apprehensive the most obdurate heart will confess it. Then let us with United hearts join in adoration of that being whose perfections fill immensity and to Who's Kingdom there is no end; cultivating brotherly love, peace and unanimity among one another, extending charity, benevolence and forgiveness to our enemies. The above stating of accounts, etc. are exhibited for the perusal of the good people of Vermont by their very humble servant, Ira Allen.

On December 4, in the *Vermont Gazette* appears a notice by Ira Allen, administrator of the estate of Remember Baker. And in the same paper, December 18, he addressed the people, calling attention to the act of the Legislature directing him to bring suit against all those owing the State, August 1, 1783. To save unnecessary expense he has decided to 'suspend carrying into effect such act, until the rising of the Assembly in February next.'

CHAPTER XII

LAND TITLES AND THE NEW YORK THREAT

1784

PEACE declared, the government of Vermont took on a more formal aspect. It became necessary to shape a government more like those of the thirteen States and to give attention to doing things in what could be termed a legal way. The State had a population estimated at thirty thousand, and settlers were coming in daily. Some of these new men who had taken no part in the struggles of the little republic during the preceding ten years were elected to the Legislature and, under the leadership of Isaac Tichenor, began a determined effort to take the direction of legislation out of the hands of Ira Allen, Thomas Chittenden, and the Council. Bennington was considered the Capital and there the political schemes against those in power were hatched; Governor Chittenden lived in Arlington, Ira and Ethan Allen in Sunderland.

The attention of the Council was concerned with the riotous acts of those people living in Brattleboro and Guilford who refused to recognize Vermont authority or to pay their taxes to its officers. A force of two hundred men was raised on the east side of the range who captured the ringleaders and dispersed the others. Ethan Allen was sent over with three companies of militia ¹ and, as usual, the resistance faded away. Some of the rioters fled over the line to Massachusetts. Governor Clinton withdrew his encouragement from the resisters, and, when the court convened at Westminster, February 3, several pleaded guilty and were fined or imprisoned. A small force was left on the border for a time to prevent the return of those who had fled; one man was killed.

The Council and Assembly met February 19 at Bennington. Isaac Tichenor was elected Speaker of the Assembly. One of the many acts passed was to enable the Assembly to pass laws without the concurrence of the Council, after the Council and Assembly had met in grand committee to discuss the law. Another was against high treason; plotting to betray the State

¹ Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 3, p. 305.

into the hands of the enemy. (This was a gesture aimed at Ira Allen and his associates in their recent negotiations.) Notwithstanding the obvious design, the Council concurred and the act became a law of the State. Another established post offices in the State; Anthony Haswell, the printer of Bennington, was appointed Postmaster-General. The Council sent in a bill to enable the Governor to settle a 'treaty of amity and commerce with the powers of Europe,' which the House refused to pass. The Council amended it by omitting 'of amity'; this was also rejected. A joint session was then held and it was resolved that the Legislature pass a resolution requesting the Governor to commence a correspondence with the Governor of the Province of Quebec and endeavor to open a trade. After the Council rose, this was also rejected by the House. On the last day of the session the Council resolved that the Governor 'take such measures as he judge best for opening trade with the Province of Quebec.'¹ The Assembly appointed a committee to join a committee from the Council to take into consideration and prepare a bill to tax unimproved lands in the State. This was a direct assault on Ira Allen and the Council refused to join the committee, but the Assembly instructed the committee to proceed without the Council. The bill did not pass. The Assembly endeavored to pass a bill empowering auditors to possess themselves of all papers in the Treasurer's office. The Council were of opinion that it was unnecessary and unconstitutional, and it was not passed. There was a struggle to get a bill passed to bring the titles of lands into the courts; this would have put a large sum of money into the lawyers' pockets. It was decided to print and publish the bill for the people to peruse and suspend all actions until the Assembly met in October.

It is difficult to realize now, with our well-established system of recording all deeds and mortgages, the actual conditions of titles in Vermont in 1784. No one knew better than Ira Allen that a large percentage of the settlers had purchased defective titles. Grants had been made by Massachusetts, New Hampshire, and New York, the latter often conflicting with the earlier grants. Then, Vermont, after 1778, also made grants. The State had no map or plan of the surveys made by different people. The proprietors of conflicting grants made

¹ Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 3, p. 48.

sales as fast as purchasers could be found. Many years had elapsed and there was no place to which the purchaser could resort to ascertain who held title to the land he wanted to purchase. 'In New England purchasers were not accustomed to receive the title deeds, so as to have in their hands evidence of the title.' ¹ It was not necessary to own land in order to sell it and many unscrupulous men were thus engaged. The general custom was to sell a certain number of acres in a locality selected by the buyer and, on payment of all or part of the purchase price, a bond for a deed was given, the deed to be delivered when the land was surveyed and proper bounds could be given. Because of these same unscrupulous men, the buyer often exacted a bond for many times the value of the land and the legal holder of land did not hesitate to give a bond in almost any amount, for he was sure of his own honesty which required him to deed the land when surveyed. The Allens, especially Ira, gave large bonds where money was paid, which will explain many unjust lawsuits brought against Ira Allen years later when he was absent in Europe.

The Treasurer was ordered to pay the members in 'hard' money. The Assembly issued many orders, as usual, on the Treasury without knowing whether there were funds to pay them. Allen seems, however, to have usually met their demands, and that may be the reason why there was not a greater effort to displace him at this time. The session lasted from February 19 to March 10. Ira Allen was on all the important committees and, if it could be known what he prevented his enemies from accomplishing, it might be considered one of his most successful legislative seasons. He did not waste his influence on unimportant matters, but used it in controlling the important ones. No measure of consequence that he opposed was passed at this session.

In the meantime Congress was presented with resolutions from the New York Senate and Assembly prepared by James Duane at the February session of the Legislature of that State. They recited the different resolves passed by Congress and claimed that New York had complied with all of them. They accused the Vermonters of showing their contempt of Congress by not complying with that body's resolves and by now raising troops and waging war on the citizens of New York residing

¹ *Life of Nathaniel Chipman* (Boston, 1846), pp. 62-65.

in Cumberland County. They declared that, when every State ought to be enjoying peace, New York alone was on the verge of internal war. If bloodshed results, New York must be exonerated;

and however sincerely they are disposed to maintain the Union, and manifest an inviolable respect for Congress, if the decision which has so long in vain been solicited, should not be pronounced within two months, next after nine states shall be represented there, . . . this State, with whatever deep regret, will be compelled to consider herself as left to pursue her own councils, destitute of the protection of the United States . . . that if Congress should delay the decision of said Controversy, after the time above limited, it ought to be considered as a denial of justice.¹

New York thus intimated a probability of a resort to force and a possible withdrawal of New York from the Confederation. Vermont treated this as a threat of war. These resolves or instructions to the New York delegates in Congress were published in the *Vermont Gazette* on April 10. Governor Chittenden called a special meeting of the Council for April 12, which body requested the Governor to address a letter to the President of Congress. On April 24, the New York delegates in Congress presented the claims and protests of New York; they were referred to a committee of five, one of whom was Roger Sherman. Soon after the committee took the New York resolutions under consideration, Congress received a letter signed by Governor Chittenden addressed to the President of Congress.²

The letter was dated April 26 and was a sharp and strong letter. It bears the mark of Ira Allen and Jonas Fay. When one considers the antagonism displayed by the Legislature that had adjourned only one month previously, it required courage to send it to Congress. Its reply to New York's threat of war stated: 'As to this *bloody proposition*, the Council of this state have only to remark, that Vermont does not wish to enter into a war with the State of New York, but that *she will act on the defensive*, and expect that Congress and the twelve States will observe a strict neutrality, and let the two contending states settle their own controversy.' It reminded Con-

¹ Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 2, pp. 392-94; vol. 3, pp. 315-19.

² Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 3, p. 321.

gress that it had passed a resolution September 24, 1779, that neither New York nor New Hampshire should vote on any question relative to Vermont, and closed with 'I conclude this letter with the satisfaction of reminding Congress that this State is still desirous of a confederation with the United States.'

When Jonathan Blanchard, of New Hampshire, sent a copy to Roger Sherman, he wrote, 'Mr. Dana and myself intend before we leave the committee to place it on the journal; the letter seems to be well written and not improper to be communicated to the states in this way.'¹ On May 13, the delegates from New York again pressed Congress for a decision, and renewed the request they had made in 1783 for the privilege of raising five hundred troops ostensibly to take over the frontier posts when evacuated by the British, although it was contrary to article six, section four, of the Confederation. The committee to whom had been referred the demands of New York and the reply of Governor Chittenden brought in a report on May 29, recommending that Congress recognize Vermont as an independent State. It was impossible to get nine States besides New York and New Hampshire to vote for this, as the South did not want to give the New England States the balance of power. New York strove hard to have Congress consider this report on June 3, and, as soon as it was voted down, she lost all interest in demanding a right to raise troops and made no opposition to a motion which was carried to provide for seven hundred men to be raised by the United States to take over the forts. This was the last proceeding of Congress directly relative to Vermont during the Confederation.

The ablest men in the country were engaged at different times in this controversy — Franklin, Washington, Adams, Madison, Monroe, Jefferson, Hamilton, Jay, and many others — and most of them against Vermont, but the little republic was still functioning and growing stronger every day.

In March, inhabitants from western New Hampshire petitioned the British Government for grants of land in Canada.² Chittenden wrote Haldimand requesting notice when the

¹ *Letters and Papers, 1780-1824*, 013-24, p. 152, Massachusetts Historical Society.

² *Canadian Archives*, B-175, p. 268.

Loyal Block House would be evacuated, so an officer from Vermont could take possession. On July 12, he wrote again proposing a free trade to be carried on between Vermont and Canada.

Colonel [Ira] Allen (who is the bearer of this) is a gentleman who is well acquainted with the public matters of this government and in whom you may confide. I beg leave to refer your excellency to him for any further particulars and have the honor to be, *By advice of Council.*¹

Ira Allen went to Canada the last of August and wrote to General Haldimand from Montreal September 10, 1784:

I beg leave herewith to transmit to your Excellency Governor Chittendens letter of the 12th of July last [probably written by Allen himself] which I should have done myself the honor to have delivered, had not very urgent business prevented. The people of Vermont are waiting for a free trade with this Province under an expectation that they might be indulged in some degree when they consider themselves unconnected with any power and by natural situation inclined to this Province for commerce.

P.S. Should government want any number of cattle for the use of the New Settlements, I would in conjunction with my brother Levi Allen supply them and I flatter myself that we could do it on as reasonable terms as any persons whatever considering our plantation &c on Lake Champlain.²

Haldimand replied to this September 17, that he could not open a free trade with Vermont until he knew the measures adopted by Great Britain, and received instructions.

But desirous of harmony and good neighborhood, he shall permit Vermont to send in cattle and grain and to receive clothing or necessaries of life they may have immediate occasion for, subject to proper restrictions and in the confidence that Governor Chittenden shall take steps to prevent illicit trade. Desires him to send in the proposals entrusted to him by Chittenden for a free trade, should the time come to carry it into execution. In the meantime he [Allen] and his brother may send in cattle for the chance of the market as no contract can be entered into by Government.³

Allen wrote Haldimand from St. John's September 20; evidently he had not received Haldimand's letter of the 17th.

¹ *Canadian Archives*, B-175, p. 276; also Wilbur Photostats, University of Vermont.

² *Ibid.*, B-175, p. 278.

³ *Ibid.*, B-175, p. 279; also *Canadian Archives*, Report 1888, p. 794.

He sent a list of articles he desired to take home with him for use in building his water-power and mills which he was constructing on the Onion River. 'P.S. I expect to have some Cattle at Onion river this fall that I should be glad to drive to this Province.'¹ He wrote Haldimand again from St. John's the same day:

I am induced from a sincere desire to promote a good understanding between the subjects of Great Britain and the Citizens of Vermont to transmit to your Excellency a stating of facts which may not at first appear to concern your Excellency or Government, yet considering its consequences I hope I shall be excused for this freedom. The facts alluded to so far as they have come to my knowledge are as follows viz. The government of New Hampshire in the year 1763 granted the township of Swanton which includes some old indian fields on the river Massisque which township Genl. Allen and I purchased about ten years ago. The government of New York obtaining jurisdiction, regranted said lands about the year 1771 to Mr. Metcalf who improved said fields for several years before the late disturbances, soon after the restoration of peace I took possession of said fields and settled seven families thereon. In the month of June last Mr. Metcalf assuming his old claim about the last of August a freeholders court was summoned to determine the propriety of Mr. Metcalf's forceable entry and detainer. On my arrival on the ground was informed of Captain Hunter and Mr. Grajon (of St. John's) making a forceable possession on said lands in virtue of an Indian lease dated in the year 1765, which Indian title I considered of no validity, supposing said Indians to have forfeited any claims they might have had to said lands in the former wars between Great Britain and France and what strengthens my opinion was the Indians abandoned said lands and have made no Claim by themselves or assigns till lately, nevertheless the gentlemen claiming under the Indian lease and I mutually agreed to have our claims determined by law when I commenced a suit in a freeholders court for the possession of said lands, which terminating in my favour, Capt. Hunter appeared to be very high making use of many improper expressions such as that the lands must be fought for, that the Indians would assert their rights, insinuating that a scalping match would insue with the Indians, since which I am just informed that some of the St Francis Indians have lately been on the ground, in a hostile manner threatening the inhabitants that if they do not leave the ground they would burn their houses over their heads. Said Indians then took so much corn as they thought proper and retired a small distance for fowling.

He enclosed several depositions and left it with General Haldi-

¹ *Canadian Archives*, B-175, p. 282; also Wilbur Photostats, University of Vermont.

mand to do anything he might think proper to prevent bloodshed.¹

He wrote Haldimand again from Onion River, September 27, that he was advising the people not to take up arms until they heard from His Excellency; and if the Indians were not restrained the settlers would go to the assistance of their neighbors.² These letters illustrate one of many similar troubles. Men were coming into the State from all quarters claiming lands granted both by the French and English. As Ira Allen was Surveyor-General, all consulted him in their difficulties, not only in locating the lands they had purchased, but when finding them already settled upon.

On May 10, Governor Chittenden wrote Allen, who owned the township of Shelburne, giving the letter to a Mr. Eastly, who claimed to have been given a grant of three thousand acres in Shelburne in 1766, for services rendered by him in the French and British war. He also claimed that he or his son had remained on the grant and improved it until the war with Great Britain. He now came back to claim it, but had no title, as the Governor informed him. A generous spirit was shown in the closing paragraph of a long letter to Allen:

As you are a principal owner in that town, it will be in your power, it may be in your wisdom, to do something for him as it will set an example which must be followed if we desire to maintain that justice we are contending for and keeping the peace of government.³

This letter was difficult to decipher; the spelling here has not been copied, and it is one of very few letters located, written by Thomas Chittenden.

During this year many people applied to Ira Allen for land with a view of locating in Vermont. One wrote he had come three hundred miles to see him and was disappointed not to find him at home. His business was regarding lands which in 1774 Zimry Allen had agreed to 'survey cultivate and improve' in Burlington and Williston.⁴

As far as the records show, Ira Allen made good all agree-

¹ *Canadian Archives*, B-175, p. 283; also Wilbur Photostats, University of Vermont.

² *Canadian Archives*, B-175, p. 288.

³ *Vermont Papers*, New York State Library; also Wilbur Photostats, University of Vermont.

⁴ Wilbur Photostats, Library of Congress; also University of Vermont.

ments made by his brothers, Ethan, Heman, Heber, and Zimry, from 1772 to 1776, often at great personal sacrifice. Distant relatives had heard what Ethan and he had done in Vermont and now wended their way to that State. A letter from one Ichabod Allen from Arlington, May 31, illustrates: 'I have now arived so far towards home . . . I wish you to Rite me if you have any place on the Lake . . . for a Lazy chap like myself . . . so that I can have a good farm some where within from 2 to six miles of' [Burlington].¹ On July 5, Ira Allen took up a bond Ethan had given to deed land in 1773 when Ethan lived in Poultney.² Levi Allen wrote an urgent letter from St. John's, requesting Ira to furnish him a drove of cattle: 'For Gods sake make no engagements in purchasing land that will interfere with trade. . . . I know I am under obligations to you and I know further I am not ungrateful. . . .' ³ Levi preferred to trade in goods and cattle, while Ira was a large holder of lands and preferred to buy and sell lands. Levi considered Ira too generous and trustful and insisted on managing himself the store they decided to establish at St. John's. Not the least of Ira's troubles was occasioned by men (one of whom was Jacob Bayley) who were giving warranty deeds of land granted by New York which later had been granted by Vermont.⁴

Heman, Heber, and Zimry Allen were dead, also Remember Baker, and Ira had all of their estates to settle. Men came to claim land they had paid for, only to find that Ira Allen and others had deeds given prior to their deed.⁵ It became necessary then to see if the signatures were not forged. The Surveyor-General's office was besieged both by applicants for vacant land and settlers demanding a survey. He had a large force working, mostly under James Whitelaw. He was obliged to furnish all of these crews with provisions and supplies. Wheat was scarce in 1784, and farmers would sell only for gold or silver. Ira Allen, to raise money would at times give his note to Ethan payable in 'neat Cattle.' ⁶ Ethan would endorse it and sell it; the same method used by foreign bankers

¹ Wilbur Photostats, Library of Congress; also University of Vermont.

² *Ibid.* ³ *Ibid.*

⁴ *Ibid.*, Letter, Jesse Livermore.

⁵ Wilbur Photostats, University of Vermont, L. Shepard, May 6, 1784.

⁶ *Ibid.*

to-day, except that their paper is payable on its face, in money, but is really paid by exporting wheat, cotton, oil, and manufactured goods.

While Ira Allen was in Canada, the annual election of State officers was held in September. Governor Chittenden and Ethan Allen were in charge of political matters. On September 6, before the election, Ethan Allen published in the *Vermont Gazette*, at Bennington, the letter Governor Chittenden sent to Congress dated April 26, prefacing it with the following:

To the Public. In pursuance of special directions from His Excellency Governor Chittenden, I am to cause the following letter, addressed to His Excellency the President of Congress, to be communicated to the public through the channel of the *Vermont Gazette*, for the satisfaction of their anxiety. It is the last transaction of this state with Congress, to which letter there has been no answer returned. . . . It is undoubtedly the wisdom and good policy of republican governments to inform their citizens of the management and circumstances of their political matters so far as their opponent States or other adversaries may not take advantage of it. This then should be the criterion of the promulgation of public policy, for it is injurious to the public good to expose the Cabinet counsels so that enemies may avail themselves of such advantages. This maxim has ever been duly adhered to by the leading gentlemen of this state, which has given occasion to some to censure those gentlemen in public trust, though they have at the same time strenuously acted agreeable to the best good of the community. The short of the matter is, that indiscriminate publication of state policy defeats itself and annihilates its own existence.

I would by no means debar the populace of talking, and plotting in politics, for this would deprive them of a great share of their happiness and importance; but I would not have them complain of their benefactors nor alter the measures of their superiors. *The Foreign Policy of this Government has been demonstrated to be good in the final consequence of it, and the State is in good and respectable condition at present.* It only remains that our courts of equity and law do impartial justice, and that our citizens support the honor and dignity of our laws and unitedly combine to support our liberty and independency. From the Public's most obedient and humble servant

ETHAN ALLEN ¹

This letter indicates the criticism leveled at the Allens and Chittenden by their political opponents at this time.

The Council and Assembly met at Rutland October 14.

¹ Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 3, p. 329; also *Ethan Allen MSS.*, p. 389, Vermont Secretary of State Office.

Joseph Fay retired as Secretary of the Council; Thomas Tolman was appointed in his place. Tolman for many years had transcribed most of the public documents. What happened at the annual election of State officers is best told by an article published in the *Vermont Gazette*, Bennington, October 18, communicated by Joseph Fay:

To the Printers of the Vermont Gazette. By inserting the following extract of an official letter received last evening you will not only gratify the public by giving early knowledge of the choice of their rulers for the year ensuing, but sting the ears of our enemies with the unwelcome news of the uniformity of the people by continuing in office those gentlemen, who have been the guardians and faithful servants of the public, during a bloody war with Great Britain and contest with several of the neighbouring states, for eight years past. Such a steady firmness does honour to the people, and by a continuance, with the due observance of good and wholesome laws, cannot fail to render this little republic happy, important and the dread of her enemies.

Rutland October 16. Thursday evening last about seven oclock his Excellency Thomas Chittenden, his honor Paul Spooner, and all the old members (except the one absent by death [Joseph Bowker], in whose room Thomas Murdock Esq.) were declared to be the persons elected each in their former offices, — and yesterday Ira Allen Esq; was elected (by joint ballot of both Houses) as Treasurer of the State. Every thing relative to the election was conducted with the greatest parade, by discharging of cannon, small arms by about 100 Militia [and] a number of Light Horse.¹

This was a great victory for all the old officers, especially for Ira Allen, as he had been the target of the opposition. If they could have displaced him, the rest would not have been difficult. During the session the Treasurer was directed to pay to His Excellency Thomas Chittenden, Esq., thirty-six shillings expended by him for distilled spirits for the use of the militia on election day. It must have been grievous to Ira Allen to lose his old tried friend Joseph Bowker, who had passed away on July 11. If honors had been bestowed according to service, Bowker would have been Vermont's first Governor. The office may have been offered to him and declined. He was the one man in the State with Ira Allen who had served in the early conventions and, as a Councillor from 1778 to the time of his death. It is sad to record that no stone marks his grave. He was buried in Rutland.

¹ Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 3, p. 54.

The session lasted fifteen days and considered many matters. Luke Knowlton was a member from Newfane and was appointed one of the judges of his county, as was Jacob Bayley, also a member. When Bayley appeared before the Council to take his oath of office, it must have occasioned some smiles, for he had been a bitter enemy of Chittenden and Ira Allen. The leaders were trying to create harmony. The bill to quiet ancient settlers was discussed several days. Governor Chittenden, who first introduced the subject in 1781, wanted the bill passed, but it was defeated. No agreement could be arrived at as to what compensation settlers should receive who had improved farms to which they had no title. The Constitution, to satisfy a minority in the Convention in 1777 which had adopted it, provided for a council of censors to be elected every seven years to recommend changes, if any, to submit to the people. The period of seven years had come, one can imagine, rather quickly to Ira Allen, who had been so busily engaged during the war. He was appointed by the Council to take the matter up with the Assembly, which he did, and the following spring thirteen censors were elected. Neither Tichenor nor Chipman was among the number. Ira Allen, Jonas Fay, and Joseph Fay were appointed agents or commissioners to negotiate a free trade with Quebec. As agents and delegates to go to Congress when necessary, Ira Allen, Moses Robinson, and N. Niles were appointed. Several acts were passed pertaining to lands, town lines, and matters connected with the Treasurer's office. Ira Allen again seemed to have been the leader in both the Council and Assembly. On October 29, the Assembly adjourned to meet the following June, when it was expected some act would be passed to quiet titles.

Seth Warner's health began to fail rapidly in the summer of 1784, and he left Vermont and returned to Woodbury, Connecticut, his native town, where he died in December in the forty-second year of his age. Samuel Herrick left Vermont this year and went to Springfield, New York, and nothing is known of his subsequent life.¹ Most of the town of Swanton was sold for taxes this year and Ira Allen purchased much of it. He caused James Whitelaw to take a crew and survey a road to St. John's to permit trade by wagon or sleigh when the lake was frozen. Whitelaw reported that the land was low and wet

¹ Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 1, p. 160.

and he could not estimate the cost.¹ In many issues of the Vermont newspapers during this year may be found Allen's advertisements for men to 'cut roads' and help survey.

Allen was using every effort to induce immigration into Vermont. Whitelaw wrote him from Moretown, August 10, that he was obliged to go home to Ryegate, as 'I hear that there are above 100 people from Scotland, a great many of which I understand are artificers.' He promised to send them to Onion River, if they had not purchased land. On August 30, he wrote that the last of September he would visit Burlington with some Scotchmen if Allen would be there and that he would locate there himself if he would be furnished with a house and provisions for his family the coming winter. At Allen's suggestion, Whitelaw had written to his friends in Scotland:

I have received letters from my friends and from many others in Scotland in answer to those I sent off when you was here last fall, and I am desired by one of them to present the thanks of a great number of people there to you for your kind offers to them and am desired to tell you that many of them expect to see you next spring. Your letter to my father has been often copied and sent over a great part of the country and every body that intends coming to America wants to settle near Lake Champlain or the river falling into the same. The law book I sent home to my father has been handed round in all that neighborhood and is very much approved of.²

As Treasurer, Allen was obliged to compel the town clerks and sheriffs to collect the taxes, and as all suits for the State were brought in his name it naturally created enemies for him. It would be too lengthy to detail all he accomplished this first year after peace was declared, in his many efforts to establish commerce. He was the first citizen of the State and the most influential man in it.

¹ Wilbur Photostats, 1784, University of Vermont; also Wilbur Photostats, Library of Congress.

² Wilbur Photostats, Library of Congress; also University of Vermont.

CHAPTER XIII

THE CANADA TRADE: THE ST. LAWRENCE CANAL AND THE TREASURER'S ACCOUNTS

1785

IRA ALLEN began the year 1785 with an act of kindness to an old man living in Cornwall, Connecticut, Mr. Isaac Laurence, who was a friend of his father's and who went on his mother's bond as administratrix when his father died in 1754:

SHEFFIELD [CONN.] *January 11, 1785*

Having duly considered the friendship you have shown my honored father, deceased (before my existence), together with the favours shown his surviving heirs and the trouble you have been at in being his and virtually their bondsman to Col. Hoofman, exclusive of the expense and trouble you have charged, I think proper to make you a present of cloth and trimmings for a suit of clothes which I beg of you to accept as an acknowledgement of your favours and from the youngest branch of the Allen family, and am with due respect your humble servant

IRA ALLEN ¹

Allen returned to his home in Sunderland to find an earnest appeal for provisions for the people he had settled on Misisquoi Bay. He had had a house built at Colchester and was having a large farm cultivated. His sister-in-law and her five children who composed his family had gone north, and he received word that they had moved into the house, but must have some flour and pork sent up at once.²

On January 19, Allen started from Sunderland for Quebec.³ The Legislature had appointed him and the two Fays commissioners to negotiate a commercial treaty with Quebec. As usually happened, Allen undertook the commission alone. It was a difficult and long journey on horseback at that time of year, and he was away over four months, not returning to Onion River until May 20. When he arrived in Quebec about

¹ *Stevens Papers*, New York State Library; also Wilbur Photostats, University of Vermont.

² *Ibid.*, Letter, Thomas Butterfield, January 8, 1785.

³ Vermont, Miscellaneous, Ira Allen Accounts, Library of Congress.

the middle of March, he found that General Haldimand had returned to England. He therefore presented his commission from the Governor of Vermont to Lieutenant-Governor Hamilton, who at once convened a special meeting of the Quebec Council to consider Allen's proposals. In addition to petitioning for a free trade, he addressed a memorial to the Government to build a road through the woods from the Vermont line to St. John's and stated that he as Surveyor-General had been authorized by the Legislature to cut and make a road to the Province line. In the spring and fall it would be the only way in which a trade could be carried on. On March 29, he presented to the Council in writing what he termed 'Observations on the views and wishes of the Freemen of the State of Vermont.'¹

That the State of Vermont, in consequence of the late war in America and the establishment of Peace by treaty, is a sovereign free and independent republic; and from its situation on Lake Champlain, nature has pointed out the River St. Lawrence to be the natural channel for the extension of the commerce of Vermont, which has induced the Legislative and executive branches of that Government to pass an Act for appointing Commissioners for the purpose of negotiating a treaty of commerce with Great Britain, in virtue of which and to explain the true intent and meaning of the said Act, I beg leave to make the following observations in behalf of the Freemen of said state.

That a treaty of commerce be settled, placing the citizens of Vermont on nearly the same footing as the subjects of Great Britain now are in the Province of Quebec, in which case the Mother Country would have the advantage of the commerce of an extensive thriving country, without any expense for protection, or for the purposes of Government and the citizens of Vermont would receive or import British goods of every kind that would be useful to them under the several acts, which exist for regulating the commerce of Great Britain.

The articles of our exports in exchange for such goods would be masts, spars, ship-timber, ship-plank boards, pot and pearl ashes, pork, beef, flour, iron, flax-seed, butter, cheese, etc. the produce of Vermont. A treaty of commerce settled on terms so reciprocally advantageous cannot fail of cementing a friendship which no vicissitudes of time will be able to alter.

Twenty-three years ago nearly the whole of the State of Vermont was a wilderness, but from the goodness of its soil and situation, notwithstanding all the embarrassments occasioned by the claims of

¹ *Canadian Archives*, Q-24-2, pp. 289-90; also Wilbur Photostats, University of Vermont.

New York in early times and the late war, there are now about seventy thousand inhabitants. Heavy taxes in the United States, with the mildness of the Government of Vermont etc., induces great emigrations from the United States. On a moderate calculation, we may suppose that in ten years the inhabitants of Vermont will be doubled.

The Council considered the matter for several days. Allen's memorial and his arguments before them were read and spoken both in English and French. A committee was appointed to make a report. They decided that the Legislature

of Quebec has no authority to open a trade with the State of Vermont, seeing the order of his Majesty in Council, dated the 18th of last June, which regulates the trade and commerce between the subjects of His Majesty's Dominions and the inhabitants of the United States, but that they will lay the request before His Majesty's Secretary of State.¹

On April 7, Hamilton wrote Lord Sidney in London enclosing all of Allen's papers and the proceedings of the Council.

The Overtures from the Vermontese may have commercial advantage for their basis, and these may possibly be mutual, tho' necessity appears to be the spur to *their* wishes, . . . but I must believe that a jealous apprehension of their neighbors and a reflection upon the difficulty of procuring warlike supplies except by the channel of the St. Laurence (in case of a rupture) must be a yet more pressing inducement than the other.²

Allen also wrote to Haldimand in London and the letter was forwarded by Hamilton. On June 3, the Council reported they could not enter into a treaty without the 'sanction of the British Legislature.' While Allen did not obtain what he desired, he made many friends in Quebec and was entertained by officials and merchants.

Thomas Butterfield, who was getting out lumber for him, and building one of his sawmills, wrote him from Colchester April 25, 'I have not heard a word from you since the 25 of February.' Spring was coming on fast and he wanted seed oats, peas, and wheat to sow. He wrote that the house on Allen's farm which Averill built would be ready in four or five days. The sawmill was working all right, but he must have two new saws and the iron in the forge was all used. He wrote again from 'Onion River,' April 28, not to close any contracts on

¹ *Canadian Archives*, Q-24-1, p. 254.

² *Ibid.*, Q-24-2, p. 288 f.

the farm until he could talk with him.¹ Allen attended to much business for himself as well as the State while in Canada; purchasing supplies for his sawmills and forges being built on Onion River where Burlington is now located. This year he founded the first settlement at Shelburne Falls. Captain Twist, the engineer, instructed by General Haldimand to survey the route of the canal proposed by Allen, made his report, which was favorable. The Canal would permit the passage of ships of two hundred tons, the displacement of ocean-crossing ships of that day.

With all his other duties Allen was appointed assistant judge for Addison County, and the first county court was held at his house in Colchester. Noah Chittenden, the Governor's son, was sheriff. Allen was obliged to go to Sunderland for a few days, and on May 30, at that place, signed a contract with Abram Stevens to complete the house which he was building at the falls on the Onion River, the present site of Winooski. Stevens was to furnish all doors, sash, and trimmings and plaster the inside.² Allen had set out fruit trees ten years before when he had selected the spot for his future home. The house stood on high ground and the lawns and gardens ran down to the river. Travelers described the location as one of surpassing beauty. Though Allen had received no legal training, he drew all of his deeds, contracts for buildings, lands, cattle, and goods and drafted many legal documents. Vast numbers of them are now in the University of Vermont Library. They are concise and correct as to technical terms and phraseology.

The Council and Legislature met at Norwich on Thursday, June 2. The Legislature proceeded to transact business the next day; but the Council did not have a quorum until Allen arrived on Monday, the 6th. The 'Betterment Act' to quiet titles was the first business to take the attention of the Assembly. A committee composed of members from the Assembly and Council, Allen being one, prepared a bill. The bill of 1784 had been submitted to the people. The referendum in the State stood seven hundred and fifty-six for the bill and five hundred and eight against it. The committee reported

¹ *Stevens Papers*, New York State Library; also Wilbur Photostats, University of Vermont.

² Wilbur Photostats, Library of Congress; also University of Vermont.

this bill to the Assembly, but it was rejected thirty-one to twenty-nine. Another bill was drawn, and after being debated for several days was passed by the Assembly and concurred in by the Council. The matter had been under discussion since 1781, and, now that an act was formulated and passed, there were many complaints. It gave one half the rise in the value of land and the value of all the improvements to settlers who were dispossessed by the legal holders. Needless to say, such an honest attempt at justice started endless litigation. The following was published by 'A Poor Farmer':

More than one-half of the county tax that is to be raised in this [Bennington] County is to pay the court for sitting. I want to know what reason, right or justice there is that I and a number of other poor farmers, who owe nothing, and have less due, and who never had nor ever expect to have any cause in that court, should have to pay the cost of its sitting.

And an extract from some doggerel verse contains a covert threat:

'Then lawyers from the courts expell,
Cancel our debts and all is well —
But should they finally neglect
To take the measures we direct,
Still fond of their own power and wisdom,
We'll find effectual means to twist 'em.' ²

The time of the Assembly was occupied with petitions for relief of settlers whose land titles were defective, on establishing town lines, on abatement and levying of taxes: all of which business added to the difficulties of the Treasurer and Surveyor-General. On June 8, Allen made a written report to the Assembly of his mission to Canada in which, after stating what has already been related, he reported that a trade may be carried on between the two countries for everything but 'pelts.' ² The Hudson's Bay Company intended to see to it that there was no interference with its monopolistic control of the principal export item from Canada at that time. The Assembly requested him to render his bill for expenses on this trip. He informed them 'he could not do so at this time, as he had not the necessary papers with him.' Isaac Tichenor asked per-

¹ *Vermont Journal*, March 24, 1784.

² *Vermont Historical Society, Collections*, vol. 2, p. 427.

mission to bring in a bill to repeal the act to trade with Quebec. The bill was brought in and passed, but the Council refused to concur and it was referred to the next session. Tichenor and a few others determined to end Allen's exertions to build up the commerce of the State. The Assembly requested to see the journals of the Governor and Council for the use of the Council of Censors and were informed that they were in the possession of Thomas Tolman in Arlington. Allen was chairman of a committee which reported in favor of allowing Ruben Harmon to coin money to the amount of eight thousand pounds and the bill was passed and became a law. Through Tichenor's influence, no auditors had appeared to settle the Treasurer's accounts and Allen addressed the Assembly urging that the Auditors of Accounts make the settlement. It was an earnest appeal and exposed his enemies' intentions.

On June 17, the Assembly set the last Tuesday in September as the day 'the Auditors must call on the Hon. Ira Allen and settle with him and get an account of his salary and expenses as Treasurer, money loaned by him to the state and all his accounts as agent and delegate to Congress and Ambassador to different states and Quebec.' On Allen's request the date was changed to the first Monday in October next.

Dartmouth College, through John Wheelock, president, petitioned the Assembly for a grant of land. A bill was passed granting the college twenty-three thousand acres 'When the Surveyor General has completed the survey of the state, if there remains a sufficiency of unlocated lands under no prearrangement, he the said Surveyor General, is directed to survey in one parcel a tract of 23,000 acres . . . Governor and Council to make out a charter.' The Assembly adjourned Saturday, June 18, after a stormy session lasting two weeks.

In Allen's bill for furnishing the Assembly with paper, ink, and quills there is a charge of five shilling and sixpence 'Cash paid for a lock and the getting a chest . . . for the security of the Treasurers papers.' Evidently the Treasurer's office had never had a safe and the temper of his enemies was such that it seemed wise to guard against accident. The next four months he was occupied with surveying and his private business, with the exception of one month spent in the Treasurer's office.

During this time Ethan Allen was publishing in Bennington

his book 'Reason the Only Oracle of Man.'¹ The *Gazette* published there contained a satirical advertisement of September 19, 1785, on the book, and under it that of another, supposed book, to be styled 'The Pleasant Art of Money Catching Reduced to Practice. I.A.' Much was made by Ira Allen's political enemies of his great wealth, all in land and paid for; but how did he get it? By preventing a full settlement of his accounts, and through his holding the office of Treasurer and Surveyor-General? The insinuations were part and parcel of the opposition to Allen and they were not particular as to truth or fact.

The regular annual meeting of the Legislature was held October 13. Thomas Chittenden was elected Governor. There was no choice for Treasurer, and for the first time since the formation of the State Ira Allen was not elected a Councilor. He may not have desired a seat in the Council. When the Assembly and Council met, he was elected Treasurer. Thomas Tolman was elected Secretary of the Council and Ira Allen was elected Secretary *pro tem*; this enabled him to attend all the Council meetings if he desired. He did not want to accept the office of Treasurer and delayed his decision two days. Times were changing; the meetings of the Assembly did not pass off as formerly. Matthew Lyon, a member, was impeached and fined five hundred pounds for refusing to deliver to the Council of Censors the records of the Court of Confiscation. A new trial was granted, but no record of it has been located. Lyon endeavored to get what might be called the first protective tariff passed, a duty of twopence per pound on nails, and if granted he would build a nail mill. On October 19, Allen was chosen one of three agents to go to Congress when necessary, and was again elected Surveyor-General. He evidently had not found the twenty-three thousand acres granted to Dartmouth, so Wheelock appealed to the Legislature and a committee of five, one being Luke Knowlton, was appointed 'to report their opinion whether the said grant cannot be located sooner than directed.' At the request of the Council, Allen appeared before the Assembly several times regarding pending bills. He was appointed a justice of the peace and side judge of Addison County, which at that time extended north to the Canadian line.

¹ Bennington: Printed by Haswell & Russell, MDCC.LXXXIV, 8vo, pp. 477.

'An act to repeal certain laws of this state respecting the duty of the Surveyor-General' was passed, annulling the surveys of the Surveyor-General and directing a discontinuation of them. It was the outgrowth of an article printed September 18, 1783, in the *Bennington Gazette*, previously mentioned, which was probably written by Tichenor and may have prevented the election of Allen as Treasurer by the people in 1784 and 1785. This act was proposed on the last day of the session when less than half of the members from western Vermont were present, while nearly three fourths of those from eastern Vermont voted. The Council proposed to the Assembly that they postpone action; a vote was taken and twenty-three, all but one from eastern Vermont, voted 'Nay.' Twenty (ten from east and ten from west side) voted 'Aye.' The Council then joined the Assembly when the act was reconsidered and the unanimous vote of the Council, added to that of the twenty, carried in favor of postponement. No report was made by the committee appointed at the last session to settle the accounts of the Treasurer on October 8. Three auditors were appointed at this session to settle these accounts, but a few days after the appointment was annulled. The annulment of the surveys was a disloyal act to Vermont and was the attempt of Jacob Bayley and others to make valid the New York charters. Bayley was selling land that had been chartered by New York.

The Council of Censors, who had been elected in the spring, passed sixteen resolutions recommending the repeal or alteration of statutes, the Assembly acquiescing in several. One recommended the repeal of the act for cutting and building a road to the northern boundary of the State.

The first proposal for a State university or college was made at this session. Elijah Paine, of Williamstown, Vermont, offered to donate two thousand pounds, if a college was established in Williamstown. A committee was appointed to meet the following June and 'view' that town. The Assembly adjourned October 27 and the Council the following day. The session had been another struggle by the Assembly to assert its power and ignore the Council, who were supposed to represent the conservative or wealthier members of the community. The breach between the people and those who had brought the State to its present position was widening. The

'Betterment Act,' which had been amended at this session, and which increased taxes, was made much of by politicians seeking office.

As soon as Allen arrived at his office in Sunderland, he began sending out notices for the collection of the taxes levied at this session. His duties as Treasurer were onerous and he desired to turn the office over to a successor, as soon as he could get a settlement with the State. He received no salary as Treasurer and charged the State \$1.66 per day only when he was in the office. He had no political ambition and wanted to devote his time to his own interests and to building up the commerce of the State. His interests were all in the northern half of the State and he naturally expended his energies in developing that section. The Bennington group were interested in developing their section which had the advantage of being the oldest settlement in the State. Isaac Tichenor and others seeking office made use of this local feeling and in the complications growing out of the creation of a new State, or republic, surrounded, as it was, with enemies on all sides, they forced the appearance of irregularities of management and succeeded in arousing that universal suspicion which tends to weaken the public confidence.

CHAPTER XIV

THE SURVEYOR-GENERAL

1786

CONDITIONS in the New England States had grown worse; in Massachusetts mobs were opposing the collection of debts and taxes and, in some instances, actually preventing the courts from functioning. Many who took part in these disturbances fled to Vermont and settlers poured into that region to escape the high taxes of the four States that had the political advantage of being of the United States. In 1774, Massachusetts had been out of debt; in 1786 'her debt had risen to £1.631.789, and in addition her share of the Continental debt was £1.565.-831.'¹ Movements had been started for forming three new States, Kentucky from Virginia, Franklin, now Tennessee, from North Carolina, and Maine from Massachusetts. Congress appointed a committee to consider the entire matter, but no decision could be reached.² Jefferson wrote to M. de Meusnier January 24, 1786: 'Nothing is decided as to Vermont. The four northern most States wish it to be received into the Union. The Middle and Southern States are rather opposed to it. But the great difficulty arises with New York ... I think it will not be long before ... Vermont will be received into the Union.'³ Jefferson's political prognosis in those disturbed times was not of much value, for it was five years before Vermont's admission as a State, which was then accomplished by the Federalists to whom Jefferson was opposed. Some part of the rapid growth of Vermont from 1783 to 1786 may be accounted for by the conditions of the grants of many of the towns, commencing with that of Montpelier in 1780. Each proprietor was obliged to have a family settled on his right, *within the term of the three years next after the circumstances of the war would admit of a settlement with safety*, on the penalty of the forfeiture of each respective right.⁴

¹ J. T. Adams, *New England in the Republic* (Boston, 1926), p. 130.

² Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 3, p. 337.

³ H. A. Washington's *Complete Works of Jefferson*, vol. 9, pp. 284, 285.

⁴ Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 3, p. 357.

Only two short sessions of the Governor and Council, according to the records, were held in 1786, other than the regular annual election in October. The first was held at Arlington evidently at the Governor's house and for the sole purpose of allowing Noah Chittenden to take the oath as sheriff of Addison County and give a bond to the Treasurer for two thousand pounds which was signed by his father, the Governor, and Joseph Dagget as sureties. The second was held in Windsor from Saturday March 25, to Wednesday the 29th. Those present, besides Governor Chittenden and Lieutenant-Governor Spooner, were Peter Olcott, Benjamin Emmons, Thomas Murdock, and John Throop, all from eastern Vermont, with only Thomas Porter and Samuel Mattocks from Tinmouth, in western Vermont. The session evidently was called to approve the accounts of surveyors working under the Surveyor-General and to appoint a 'Committee of Trust,' to receive a charter of a certain 'gore' of land, and they were authorized to sell the same for cash or 'neat Cattle' and the Treasurer is authorized to receive the same, 'using what is necessary to pay back about forty pounds borrowed by the agents of Vermont in Philadelphia, when attending on Congress.'¹ This procedure was the forerunner of a political storm. The Council approved the 'accounts exhibited by the Surveyor-General for runing town lines, Cutting roads &c.' and made an assessment against the several towns where the work had been finished. Several anonymous letters appeared in the public press accusing the members of the Council and the Surveyor-General of having made money through holding their several offices. These were replied to by Lieutenant-Governor Spooner, denying the charges. Jacob Bayley, a prime mover in discrediting Allen, resided in Newbury, which had been assessed £27-7-9, and this assessment furnished him opportunity. He burst forth in the *Journal* of June 5, 1786, in this wise:

For the Vermont Journal

Messrs. Printers,

I observed in your Journal, No. 145, a piece signed Paul Spooner; in which he has endeavored to exculpate the Council from the charge of having allowed the Surveyor-General an exorbitant sum for running the lines of several towns in this state; at the same time

¹ Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 3, p. 100.

alleging, that the wages allowed by the General Assembly to the Surveyor-General and his deputies, was the sole reason that such extravagant accounts were allowed by the Council. Dissatisfied with the account of the matter, although from so respectable authority, I have procured from Mr. Whitlaw, one of the Surveyor General's deputies, the following account of the expense of surveying the township of Newbury, which I beg leave to lay before the public, viz.

	£	s	d	q
Half the expence of running the south and west lines of said Newbury,	4-	9-9	¾	
One fifth of the expence of surveying Connecticut River from the south line of Norwich to the north line of Newbury.	3-	2-2	¼	
Surveyor-Generals wages at 12s. per day	2-	6-9	¼	
	£9-	18-9	½	

The north line has not been run.

It will undoubtedly be observed here, that the Surveyor-General is allowed 12s. per day while his deputy was doing the work, when perhaps he had half a dozen other deputies surveying at the same time, and surely this town ought not to be taxed with the whole of his wages.

Let the public compare this sum with the sum of twenty-four pounds, taxed by the Governor & Council on each township, and they will see that the odds is more than half, if they subtract the Surveyor-General's wages they will find it more than as three to one. As this is all the necessary charge that can be made, I would wish Governor Spooner, or any other man to inform me for what the rest of this extraordinary sum is to be paid? Does any gentleman suppose, because the whole state has from its formation been assisting them to make an independent fortune, that they have obtained a right to command the purses and properties of all its subjects? Surely it is time, ye Freemen of Vermont, to convince them of the contrary. But I shall content myself with having stated the above facts, and leave the public to make such conclusions as they shall think proper.

JACOB BAYLEY
a selectman for Newbury

NEWBURY, May 17, 1786

In addition to this attack on the Surveyor-General, the Council of Censors (which had been elected in March, 1785, and which had met in June and September, and on October 20, 1785, had ordered a convention to be held in Manchester for the last Thursday of June, 1786) published an address from Bennington to enlighten the people, February 14, 1786, stating that among the changes they recommended in the Constitution

we principally had in view rendering government less expensive, and more wise and energetic. . . . The taxes which have been collected some years past for the support of government, demonstrate the expediency of the former; and every man's observation will suggest to him the necessity, for our political happiness and credit, of having government properly maintained, and the judicial and executive offices therein, filled by persons of the greatest wisdom and virtue.

In the changes made they endeavored

to guard against the future introduction of an aristocratic power, . . . by providing that the same person should not, at one time, be invested with too many important offices, . . . and likewise to prevent any family, or party, in future, having it in their power to establish a set of connections, prejudicial to the community, by providing that certain officers, of the greatest influence and importance, should, at stated periods, be reduced to the common level; and by being thus constantly reminded of their political mortality, be induced to act well their parts while on the stage.¹

In its effort to present a scathing arraignment of the men who had founded Vermont and had brought it safely through its many trials to its present state of no debt and low taxes, the address denounced both the Council and Assembly and, by giving particulars, conclusively proved that both those bodies, most of the time for the past ten years, had been controlled by a few master minds. 'In reviewing the proceedings of the legislative and executive branches of government, and examining whether they have performed their duty,' as guardians of the people, or assumed to themselves, or exercised, other or greater powers than they were entitled to by the Constitution,

it affords us *great pleasure* to find matters of commendation, yet accompanied with the mortification of having some to censure. But as the Constitution has allotted us solely, the last, and more unpleasant task, we can only in general observe, that, under God, [and they might have added Governor Chittenden and Ira Allen] this commonwealth is much indebted, even for its present existence as a separate community, to that undaunted firmness, and prudent vigilance for the public safety, which has been usually maintained in the legislative and executive departments, since the era of our independence. At open war with the most potent nation in Europe; — frequently threatened with invasions from a sister state, and, by her insidious arts, a powerful disaffection fomented within the bowels of this commonwealth — [several of the censors were the fomenters] denied relief from the authority [Congress] who alone, under Heaven, could give it; — we have reason to look up, with gratitude, to that

¹ This last was aimed at Thomas Chittenden.

Being who is wisdom, and by whom a few husbandmen, unexperienced in the arts of governing, have been enabled to pilot the ship through storms and quicksands, into the haven of independence and safety; and to admire when we consider how much was to be done, and by whom, that it has been so well done. But we are obliged to check such agreeable thoughts.

They then condemned the manner in which the few people in power had proceeded:

In some instances, however, it is probable that the Constitution has been invaded through necessity, in times of extreme danger, when good men were induced to hazard all consequences for the sake of preserving our existence as a people.

One very serious complaint was that notwithstanding the Legislature had

invested the [Council] with the sole power and trust of adjusting the accounts of the several persons employed in running those [town] lines: yet we find that in March, 1784, the Council resolve, that the Surveyor General settle the accounts of the several Surveyors under his direction. . . . This (however respectable the character of the Surveyor-General may be) . . . destroyed the check intended by the Legislature upon the Surveyor's department.

The Censors condemned the Council for not compelling 'the proprietors and inhabitants of the several towns to defray the expense of those surveys.' They recited that a law had been passed in February, 1782, when the unions were dissolved in Allen's absence attending Congress and Tichenor and others were directing proceedings, that all records and papers belonging to the State be turned over to the Secretary of State, but the Council had refused and still retained the records. They recited the difficulties that the auditors were meeting in settling public accounts especially of the commissioners of sequestrated estates. They then censured the Legislature

for omitting to enact laws adequate to compel the annual liquidation of the public accounts: and the Council are not free from blame for the appointment, and continuance of persons in office of great public trust, who did not keep regular books: by which means (we conclude, from the information of those auditors who have taken an active part in the business) [Tichenor] several public accounts of a very important nature, can never be properly adjusted; and the *defaulters of unaccounted thousands* will probably reserve them for their families.²

² *Vermont State Papers*, Slade (Middlebury, 1823), pp. 531-44.

This address was aimed at Governor Chittenden and Allen and both replied in the public press. The last three lines quite likely referred to John Fasset and Matthew Lyon, who sold confiscated estates and refused to show their books.

The Council of Censors was composed of thirteen members. Eight of them resided on the east side of the range and several, like Joseph Marsh, Jonathan Hunt, and Micah Townsend, had done their utmost to prevent Vermont's becoming a separate State. Townsend had given information to the British in 1781. The President, Increase Moseley, did not come to Vermont until 1779 or 1780, when he was nearly seventy years old. He was Speaker of the Assembly in 1783 during the warm debates on Vermont's reply to Congress, but had not been elected since to the Legislature. The members were mostly lawyers and several held office in Vermont as long as they lived. Ebenezer Walbridge was the only member who had been through the early struggles with Chittenden and Allen.

Governor Chittenden's reply to the address was issued in August and was assailed in the newspapers by ribaldry too indecent to publish now, his effort being characterized as merely an electioneering document. In it he stated that

the distresses so much Complained of in the State for want of a circulating medium, is partly occasioned by the devastations and distresses of the late war. Being a frontier, disowned and unprotected by the states in the union, and having no credit to enable us to borrow money, we were necessitated to pay our proportion of the great expence of the war as it arose, and while it has left on the United States a debt of 42.000.000 dollars, exclusive of their own respective state debts, we have but a trifle to pay.

It showed how much larger the taxes in Stockbridge, Massachusetts, were than in Bennington which contained about the same number of people:

In the time of the war we were obliged to follow the example of Joshua of old, who commanded the sun to stand still while he fought his battle; we commanded our creditors to stand still while we fought our enemies. Tho' we had no power to borrow money, we had power to retain what we had, and improve it for the safety of the whole; ² consequently some of our people were left in debt. . . . Another reason of our present distresses is, that since the close of the war, in lieu of exerting ourselves to the uttermost, to raise flax and wool and

² For this and many other acts of the like necessity and importance to the very existence of the State, we are not only officially but severely censured.

cloathe ourselves, we have purchased on credit too many articles of the growth and manufacture of foreign countries, by which means we have drained the State of nearly all the cash we had and a great part of our cattle, meantime we have been paying the taxes of other States, accumulating new debts, and flinging ourselves into the hands of the traders, lawyers and pettifoggers.

Law suits are become so numerous that there is hardly money sufficient to pay for entering the actions, not to mention the debts or lawyers' or officers' fees, yet as we have but few disputed causes, most of the time of the court is taken up in hearing what the lawyers call *shunage*, to avoid for the present, what is so much dreaded, executions; . . . I have reason to believe, that the expence of law suits for two years past, has been nearly equal to that of any two years of the war, and for a remedy one cries a Tender Act, another a bank of money, and others, kill the lawyers and deputy sheriffs.

A remedy arising from either of these methods, without other exertions, will be but temporary; it might afford some respite at present, but would not remove the cause, and I know of no certain effectual method that can be taken to afford substantial relief, but by prudence, industry and economy, and these must be encouraged by Government.

As this is an inland country, it is of course very expensive transporting our produce to market from many parts of the State and when we arrive there we must take and give their own price. It must therefore be for our interest to raise and manufacture every article this country will produce, and that may be in value nineteen-twentieths of our necessities, and purchase no more foreign goods than real necessity requires, until we have more articles for export, than the value of what we want to purchase. Then and not till then can we have specie for a circulating medium.

I agree with the Hon. Council of Censors in rejecting the present mode of taxation; I view it neither just nor political; it is not only unequal, but being laid on the necessities of life tends to discourage industry, while the idle and litigious are preying upon us with impunity. I therefore most earnestly recommend it to you to consider whether it would not be wise and directly tend to encourage prudence, industry, agriculture and manufacture to lay our taxes in future on lawsuits and such commodities as are imported into this State, excepting only such as are absolutely necessary, and that this State will not be apt to make too free use of, and out of the avails of these taxes give a bounty for the encouragement of raising sheep and flax, and where there are lands in new townships, that are not settled in proper time, either tax them or take the forfeiture.' As to whether it was best to relieve the people by 'a tender act or making [paper] money' he preferred the latter if it was loaned on good security and drew interest.

You will also take into your consideration the matter of Surveying town lines, which appears to be so disagreeable to some part of the people. I am not anxious as to the particular mode of ascertain-

ing the lines, or of paying the expence, but I view it of great importance to the interest of the state that it be done so as to answer the purpose, as I am well assured there are hundreds impatiently waiting that event to become immediate settlers. I shall only refer you to the facts as stated and published by the Surveyor General.¹

Three days after the publication of the Governor's address, on August 31, the *Vermont Gazette Extraordinary* was issued and contained the following:

We hear from Rutland, that on the 15th of August at the sitting of the supreme court at that place, there assembled nearly 200 gentlemen farmers who were not directly touched nor infringed upon by those pickpockets (which banditti is known by the name of Attornies).

It gave notice of a convention to be held in Middletown the 26th of September, and closed with

Take notice how you impose upon those who have passed thro' the wilderness, and endured fire, famine and sword towards obtaining their own rights, and the liberties of mankind.

The address of the Council of Censors marked the turning-point in Allen's political career. His replies to it, both as Treasurer and Surveyor-General, are essential documents not only to the history of Allen's career, but also to that of Vermont:

*Treasurer's Address,
as published in Spooner's Vermont Journal, Windsor, Vermont*

Aug. 14, 1786

Messrs Printers — Having observed in your useful papers several publications respecting public accounts, and the survey of town lines, am also informed that there are some of the good people of this state, who are dissatisfied as to these matters.

As Treasurer and Surveyor General am availed of many facts that may reflect light in these Cases, which I shall proceed to publish in their order, with some observations on these subjects for the perusal of the Citizens of this state. Shall begin with Public Accounts; and in order to give the public a full state of the procedures that has been had thereon, shall republish a pamphlet, published in 1782, viz. 'The Treasurer's Address to the Legislature in June last, relating to Public Accounts' [which is as follows]:

To his Excellency the Governor, the honorable Council and General Assembly of the State of Vermont, now convened at Windsor.

The address of Ira Allen humbly sheweth,

¹ *Vermont Gazette*, August 28, and *Vermont Journal*, September 4, 1786.

That he hath been annually elected to the Office of Treasurer &c. That notwithstanding my application to the Legislature for a settlement of public accounts, and their appointing Auditors at different times to adjust public accounts, they have never completed one settlement with me.

And there having arose some popular discontents respecting those matters, I am induced to make the following written stating of facts viz.

That so early as at June term 1779, I made a verbal application to the Legislature, for Auditors to be appointed to settle my public accounts. Similar applications were made at several of the next sessions of the Assembly, but nothing being done to effect, I then proceeded to address the Assembly, at their different sessions, with written Petitions; and no less than three have been exhibited to the Honorable the General Assembly, the last of which was at June term 1781, and in the words following, viz.

To the Honorable the General Assembly of the State of Vermont, now convened in Bennington: The petition and address of Ira Allen, Treasurer of said State, humbly sheweth,

That he hath been, from the formation of said State, annually elected to the office of Treasurer.

That he hath, at several different sessions of the Legislature, petitioned either by writing or verbally, for a settlement; shewing the necessity of the State's first settling with the several Commissioners of Sales and Sequestrations &c.

That he hath never been able to make one settlement; and having a large number of receipts on file, taken in Continental money at the varying stages of depreciation, the State is credited for the respective sums, and a number of such receipts are delivered the Paymaster, who must settle them on the pay rolls, by the Scale of Depreciation; many other accounts are nearly in a similar situation. The Treasurer therefore earnestly requests that the General Assembly would take up the matter and give him some instructions on the subject, so as to enable him to do justice to the State and himself and keep his books in such a manner that the accounts may stand fairly balanced in a day when a Council of Censors may examine them. The Treasurer thinks it of the utmost consequence for the safety, peace and welfare of the State, that himself, together with all other persons that have been entrusted with public Money, should be settled with, without loss of time; and the More so as there is additional territories added to the State.

Your Petitioner flatters himself that this request will appear so reasonable, and so interesting to the State, that it will Claim the serious attention of the Legislature, and that Your Honours will grant Your Petitioner's request, which will lay him under an additional obligation.

BENNINGTON 13th June, 1781

IRA ALLEN

That soon after exhibiting the above petition, I had the satisfaction of being informed, that the Assembly had appointed Auditors to adjust Public accounts, and that they were first to proceed to settle with Commissioners of Sales Sequestration &c. The Legislature proceeded then to appoint Agents to attend on Congress, When I had the honor to be elected one, and an early day assigned to set out. I was requested by my Colleagues to furnish the necessary papers, as the former written proceedings between this State and Congress were principally lodged in my office.

In the interim Messrs. Tichenor & Brush called at my Office, and took a list of the names of Commissioners of Sales and Sequestration, and enquired of me when I should be ready to settle my Accounts? I informed

them that I should have little or no time to attend to that business until I returned from Congress, when I should lose no time in attending to a settlement; and that I was apprehensive I should be ready for them by the time they could complete a settlement with the Committee of Supplies, &c Whereby they Might be possessed of the amount of the money that had been paid into the Treasury.

That soon after my return from Congress, I received directions from his Excellency to repair to Skeenesborough (in Conjunction with Maj. Jos. Fay) to meet the British Commissioners to receive a number of prisoners, and to deliver a number more, and to settle Accounts for articles furnished them. This matter was considerably delayed by Contrary winds, which, together with other public business, left but few days to over-hall any Matters respecting the Treasures Office, previous to the Session of Assembly in October last, after the rising of which, I had to Make the necessary Calculations on the grand list, in order to know what each town had to pay of the respective taxes, and to give out the Warrants; which was little more than accomplished, when disturbances arose in the west Union, when I received directions to go into those parts in order to quiet the people. On my return from the Westward the Governor had received information of the hostile intentions of the General Court of New Hampshire in consequence of which I was appointed by Authority, to repair to said Court without loss of time, in order, if possible, to prevent a Civil War, pregnant with great evils to this and the United States of America.

On my arrival at that Court, I was informed that an order had passed the Court (the day before I arrived) to Maj. Gen. Fulsom, to raise such number of the Militia as the Sheriff of the County of Hillsborough might think proper to call for, to enforce the Laws of New Hampshire, in the then east part of the State. Matters were however happily postponed, and I returned home, when I received directions from the Governor and Council, to repair in Conjunction with others to Congress, to see if this State could be admitted into the Federal Union of the United States, &c. from whence I returned home in the month of March last, when I proceeded without loss of time, to collect in, from those that had been authorized by the Authority of the State, to receive Pay — Table Orders, &c. Money being paid out by so many different hands as the exigencies of the State have heretofore required & orders receipted in my name, & in some instances not lodged in the Treasury for a year after receipted; such Orders must be arranged with those that have been paid at the Treasurer's Office, previous to any being charged on book, to the end that they Might be charged according to their respective dates. This is no small embarrassment in keeping my books. However, the public accounts have been duly arranged; so that all my Charges, with their Vouchers to support them, might be turned to with the greatest precision. Word has been sent to Messrs. Tichenor and Brush, that I was ready to wait on them in the capacity of Auditors, before the present session of Assembly. I have not been exceeding four miles from my Office, since my return from Congress in March last; and have not heard one word from the Auditors either oral or written.

I now invite all present to pause a moment, and take a retrospective view of the public aspersions that were endeavored to be laid on me (at the last session of the Assembly, in my absence, when officially transacting the important affairs of this State, at the Congress of the United States of America) by Mr. Tichenor, and others and candidly determine within your own breasts, Whether their

moving in the Assembly that the Treasurer should be immediately settled with; that his books should be brought into the Assembly for examination; that the public Money was in danger of being embezzled &c. &c. proceeded from a sincere desire of promoting the interest, peace and prosperity of this State, or from some other Motives less honorable.

The same gentlemen, I am informed, had much to say in regard to my holding several public Offices; to which I have to observe, that by the suffrages of the Freemen of this State, I have from the formation of the same, had the honor of being annually elected into different Offices, which I have cheerfully accepted of, and discharged to the best of my abilities, and I venture to say, to the satisfaction of the Public; for the proof of my assertion, I refer to my annual re-elections by the Almost Unanimous Votes of the Freemen, as the respective Counters can witness.

That from my being first elected into Office, to the present time, I have received but one Pay, although Committees have waited on me from the Legislature, with an intent that I should have some other perquisites of office, but my answers have ever been nearly in the following words, viz. That I did not take such unwearied pains as I had in assisting to establish a Government here, merely for the pecuniary rewards of Office; but that it was to establish Freedom, and to hand down to posterity the blessings of a free Government, and to secure my landed interest, in conjunction with that of other Land-owners: That I was willing to contribute my mite for the public good, until the Independence of this State should be acknowledged by other powers: That I should not receive more than my Debenture of Council, or one Pay.

I have not put the Public to the expense of a Clerk to assist me at the Assembly, until the business of the State grew more extensive by Taxes &c in October last.

I know of none that have reason to censure me for this conduct of mine, except those who may suppose if I was out of Office, they should be elected in my stead, or the Public, for not having the privilege of paying more Money to Officers of Government.

I now call on those present, who were Members of the Council or Assembly in the years 1779, 1780 and 1781, to declare whether this stating of Facts is true or false, to the end if there be any mistakes, I may be confuted when present, thereby to prevent misinformation when absent.

Blame there may be, that public Accounts were not annually adjusted and settled; but as I have done everything in my power to have that accomplished, cannot conceive the fault or neglect is in me: Must therefore leave it with those whose right and duty it was to audit them, or otherwise to see that all persons that were intrusted with public money were annually settled with.

And lastly, I confide in the justice and wisdom of the Legislature to take such Measures as may to them appear necessary to compleat a Settlement with all persons that have been entrusted with public

money, that the innocent may no longer lie under the secret aspersions of designing men, that the guilty (if any there be) may suffer as to justice may appertain, that the public may be satisfied in regard to the disposal of their money, a matter so very necessary for the peace, happiness and prosperity of the State, at the present time.

I am, Gentlemen, Your Most obedient, humble servant,

IRA ALLEN

WINDSOR, *June 17, 1782*

To his Excellency Thomas
Chittenden, Esq., to be Com-
municated to the Legislature

After the foregoing address was read, Maj. Tichenor requested that he might have a time assigned him to make his defense, which was granted; and the Committee of both Houses adjourned. When they convened again, Maj. Tichenor proceeded to make a verbal defense, in the Course of which he made the following assertion, as by the testimony of the Members then present will appear, viz:

SUNDERLAND, *Aug. 13, 1782*

We the subscribers do hereby Certify, That in the Course of Major Tichenor's verbal defense, in answer to Col. Allen's written address to the Legislature in June last, he asserted — That the Auditors had called on the Treasurer for a settlement but could not get him to a settlement. That they requested Col. Allen to give them a list of the names of the Commissioners of Sales and Sequestration, that Col. Allen gave them a list of but a part of said Commissioners names — that the Treasurer declared that he should not account for more money than the Auditors could produce his receipts for — Major Tichenor observed, that by that Mode of Settlement, the Treasurer might save to himself large sums of money, as it would be difficult for the Auditors to procure all his Receipts, as money had been paid into the Treasury many different ways.

JOHN STRONG	} <i>Members of the Assembly</i>
MARTIN POWEL	

Although Major Tichenor had leave given him to bring in a written defense, he declined; Could therefore only produce a Certificate of the Members present. And for the farther information of the impartial public, have to produce the Certificates of two gentlemen, that have been at different times elected auditors, viz.

ARLINGTON, *10th Aug., 1782*

This may Certify, that in July 1781, Col. Brush Esq., Tichenor, and myself, as we were going from Bennington to Clarendon, to audit the public accounts, we called on Col. Allen, Treasurer, and desired to know when he could be ready to settle the Treasury accounts. He informed us that he was obliged to set out for Congress in about a week, had many things to prepare for that purpose, but would endeavor to be ready to settle as soon as possible after his return; but as the accounts were many, and of sometime standing, it would take him some time to get them properly ranged in a way to have them properly adjusted. We further desired him to give us a list of the names of the Commissioners of Sales and Sequestration; upon

which Col. Allen presented us a list of names at the same time alledging, he was not sure there was the whole, but rather thought there was more; but there was what he could just then recollect. And further I never heard Col. Allen say that he should not account for any more money than we could produce his receipts for.

Test: AMOS ROBINSON

ARLINGTON, *August 12, 1782*

These may Certify, that in consequence of an appointment from the honorable general assembly of this State, in conjunction with the honorable Jos. Fay Esq. and Colonel Ebenezer Walbridge (a few weeks before the session of Assembly in October 1779) I did examine the accounts of the Treasurer of this state, and found regular accounts of debt and credit cheerfully exhibited by the Treasurer.

MATTHEW LYON

To return to the proceedings of the Legislature. After mature deliberation on the before recited matters, they proceeded to the election of two more auditors, when Micah Townshend and Jonathan Brace Esqrs. were elected; and an early day assigned for public accounts to be audited, and a stating thereof to be published for the information of the people. Soon after this Amos Robinson Esq. called on me to know when it would be convenient for me to attend on a settlement; when I proposed one fortnight from the rising of the Assembly. Mr. Robinson then called on Major Tichenor, to agree on a time and place for the auditors to meet; who informed him, that he could not agree to any time or place then, but would see Col. Brush and agree on some time and place and send him word. After Major Tichenor was gone from Windsor, and no time assigned for the auditors to meet, the 24th day of July was agreed on. After my return to this place on the eighth day of July, I wrote a letter to Col. Brush and Major Tichenor, informing them that the twenty-fourth was the day I expected the other auditors to attend on the settlement of my accounts; that I should be happy to wait on them at my Office: which letter was delivered Major Tichenor on the sixteenth. (It doth not appear that any measures had been taken to facilitate the settlement of accounts, until the receipt of my letter. Notwithstanding the early day assigned by the Assembly for their completion and publication.)

That on the eighteenth, Messrs. Tichenor and Brush wrote a letter to Jonathan Brace Esq. perporting a desire to know of him whether he would attend at Bennington, on the twenty-fourth on the settlement of accounts; that they should write to me on the subject. That on the twenty-third, about eleven oclock, I received a letter from Major Tichenor, dated the twenty second informing that Col. Brush was then at Boston, that the other auditors were notified to attend on the settlement of my accounts at Bennington, on the twenty fourth, and requested that I would send my Clerk with the necessary papers for settlement. On the receipt of this untimely, procrastinating, extraordinary message, I made no answer, as three of the auditors had agreed to attend at this place. Col.

Brush having returned from Boston, the whole of the Auditors being convened at my office, proceeded to business on the first day of August, Col. Brush and Esq. Brace, having some special business, went away a few days before accounts were brought to a close. That on the ninth, all matters having been duly examined, Major Tichenor was for taking the Minutes that had been taken from my accounts and going home; the other gentlemen proposed an account current to be drawn and signed by the Auditors which was opposed by Major Tichenor; Messrs. Robinson and Townshend insisted that they would not go home until they had something official to show to the people, and the annexed account current was compleated, and lodged with me.

The Treasurer

To the State of Vermont, Dr.

9th Aug. 1782. Received from sundry persons as per book.			August 9th, 1782, Credit	
	Continental Money	New Emission Money	Lawful Money	
Cash received	£183,690-17- 4	£665-18-6	£55,402-11- 5	£93,513-2-10
Amount of taxes received			16,207-18-11	£27,398- 1-4 *
New Emission added			665-18- 6	19,380-18-0 †
Treasurer's Due Bills computed at			239- 8- 4	
	£183,690-17- 4		£72,515-17- 2‡	£93,513-2-10
	93,513- 2-10		46,778-19- 4	£46,778-19-4 ‡
	£ 90,177-14- 6		25,736-17-10 **	
	2,635- 0- 8			

* Being the amount of money paid by orders entered on book.

† Amount of money burnt by Commissaries as per receipt.

‡ Amount of monies accounted for by officers and entered on book.

§ Amount of monies total received.

|| Total sum accounted for by receipts and entered on book.

** Total sum of monies received and unsettled, for which receipts are taken, to be accounted for by Commissaries, by persons attending on Congress, and others.

The £2,635-0-8 Continental money on the Dr. side was occasioned by taking it as lawful money at 40 for one and paying it out at the nominal value.

ISAAC TICHENOR
AMOS ROBINSON
MICAH TOWNSEND } *Auditors*

It is to be observed, that the time alluded to in the preceding address 'that word had been sent Messrs. Tichenor and Brush, that I was ready to wait on them in the Capacity of Auditors,' &c was twice the time before the convening of the last Assembly as the Auditors have been in adjusting my accounts.

I trust the Candor of the public will excuse my being so particular in the stating of facts; and if such stating should, in the opinion of any, tend to prove any gentlemen guilty — of a duplicity of conduct, I assure the public, that I have taken up my pen in vindication of

my own Character, and to endeavor to quiet some popular discontents in some parts of the state. Evil designing men have reported, that I had received large sums of money that I could not account for. I say evil designing men, because no finite being was able to tell whether I could account for the money I had received or not, until my accounts were adjusted: therefore the inventors and supporters of said reports, if not unfriendly to the state have at least deviated from the golden rule, 'do as you would be done by.' These reports together with some other schisms, have in some towns, embarrassed the collecting of taxes, &c.

I now invite the candid reader to take a retrospective view of my early and repeated applications to the Legislature for the settlement of accounts, and then consider whether (comparatively speaking) it would not be as unlikely for a man that was embezzling the public money to be so urgent for a settlement, as for an impenitent sinner to wish to be arraigned before the Judge of all the earth.

To the gentlemen who, from different Motives, have not paid their Taxes, or that are uneasy as to the Disposal of Public Money.

By the preceding testimony of the Auditors you will, with a little attention, see that the amount of the Continental money received and entered on book is £183,690:17,4. that the amount of money received as lawful money is £72,515:17,2, and that the whole is regularly accounted for; by which you will doubtless be convinced that regular accounts have been kept in this office.

That Taxes in this State have been much lighter than in any of the neighbouring States, and with good economy doubtless will continue so — the Expense of the current Year has been inconsiderable; and there is a Probability that it may continue so. By a rough Calculation of debts due to and from the State, I am of Opinion, that if the Taxes that are now laid, and the granting Fees for the Lands that have been granted were all paid, the State would not be left more than about Six or Seven Thousand Pounds in Debt; when one more small Tax would clear this State of all her present Debts. — It is not probable that either of the United States will be so clear of Debt in some Years after the War is over. — On a full consideration of these Matters, and our liberal Constitution, I believe every Gentleman will see it to be for his interest to pay his Taxes, and to assist in the Support of Government.

To the several Collectors of the State Taxes, who have not collected and paid into the Treasury the full of the Money committed to their care to collect.

When I consider the Embarrassments some of you have laboured under — the small Fee allowed you for collecting Taxes — and nothing for paying the same into the Treasury &c. I have determined to suspend giving out Executions, and to give you one more Opportunity to send in the Money by the Members that attend the next Session of Assembly — I trust you will, in your respective

Towns, exert yourselves to compleat the Remainder of the Taxes, as it is probable if there be any Delinquencies in October next, Execution will be given out without further Notice. — The Acts of the Assembly are such, that nothing but *Vermont* Currency or hard Money can be received for Taxes.

[The preceding is 'The Treasurer's Address to the Legislature' published in 1782.]

After this publication the Legislature passed a law directing the annual settlement of all public accounts, in obedience to which I made the necessary arrangements and attended at the office for settlement but no Auditors appeared. In June 1785 I laid before the Legislature an address in the words following, viz.

To the honorable the General Assembly of the State of Vermont, now convened in Norwich, the representation of Ira Allen, Treasurer of said state, humbly sheweth, that he hath been Treasurer of said state from its formation; that after many petitions, representations, &c to the Legislature, for the appointment of Auditors to settle public accounts, Auditors were appointed and attended at the Treasurer's office, and settled accounts about three years ago, since which time, as Treasurer, I have not seen any Auditors, notwithstanding making the necessary preparations for settlement, agreeable to an act of the Legislature. This I complain of as being injurious to my character, and the public weal, as it gives designing men opportunity to say that public money cannot be accounted for, thereby raising an uneasiness amongst the people, against paying taxes that they are not informed of the disposal of. I must once more beg leave to announce my sentiments that all persons, intrusted with public money, ought to be annually settled with; and for what reason Commissaries, Paymasters, &c are not settled with, thereby reducing the public accounts to one channel, agreeable to the intention of the Legislature, I presume the people of this State are at a loss. Have attempted at different times, to give the public a stating of the trifling debts due from this State, which have proved irregular, by reason of accounts being unsettled in other offices, and orders drawn on the Treasury on old accounts, after such stating has been published.

Since the restoration of peace, one would suppose, there had been time sufficient to have adjusted the public accounts, and published a stating thereof, which would no doubt be satisfactory to the freemen of this State, and tend to encourage emigrants.

The above matters are humbly submitted to the wisdom of the Legislature, by their most obedient humble servant.

IRA ALLEN

NORWICH, *June 13, 1785*

Later the Auditors reported their inability to obtain settlements with all the people entrusted with public money and could not, therefore, make a final settlement with the Treasurer. It was the old story of criticism of a public official for failure to perform what the critics themselves found impossible of accomplishment. This was followed by Allen's defense of his

management of the office of Surveyor-General, which appeared in the *Vermont Journal*, September 4, 11, 18, and 25, 1786:

The following are a Concise Statement of Facts, with Miscellaneous Remarks on the Surveyor-Generals Department:

In June 1779 the Legislature for the first time took into Consideration the procuring of Charters for record, in order to regulate town lines, and find the vacant lands; these matters were much Embarrassed by reason of the book of Charters being Carried to Great Britain by Gov. Wentworth; many Charters were deposited in New York, and otherwise not to be found. The Legislature established a Registers office for Charters, and directed that Charters from under any government that had claimed jurisdiction over this district, might be recorded at the Expense of this State; in consequence whereof a few charters were recorded.

On Sept 1779 Congress passed a resolution directing the good people of this State, not to dispose of any more Confiscated estates, or grant any unappropriated lands. The Legislature Convened the succeeding October, and taking this resolution of Congress into Consideration, observing, that Congress was not vested with power to interfere with the internal police of any State, much more one that was not represented; and being apprized that it was the intention of their adversaries to cut off their finances in this way, knowing that intestine broils were such that taxes could not then be Collected: without money the frontiers could not be defended, or the wheels of government kept in motion. In this situation the Legislature assumed that power which God and Nature had blessed them with, the disposal of vacant lands for the preservation of the commonwealth.

This judicious and determined procedure, disheartened our enemies, encouraged and strengthened our friends; and the money (the avails of the land) answered the then immediate purposes of the government.

In October 1780, the Legislature convened in Bennington, when governmental matters were exceedingly Embarrassed; about one fourth part of her Citizens opposed by her government — the States of New Hampshire, Mass. and New York Claiming jurisdiction against each other, making use of Every devise human art could invent, to divide and subdivide the Citizens of this State, and ordering all the Continental troops, stores and tools, out of its frontiers — a powerful and enraged army in Canada, whose object appeared to be to lay the frontiers of this State waste, to pave the way to reck vengeance on Albany &c. Some of our frontiers were burnt by the enemy, and their hostile appearance was such on Lake Champlain, that it induced the Legislature to adjourn for a short time, and many of her Members procured arms and went to the field. A short truce was settled for the Exchange of prisoners. The Legislature Convened again, proceeded to grant about fifty towns; this they were obliged to do to raise money to pay their troops, procure stores, &c

for the then next campaign, and defray the Expenses of government. This mode of procuring money made the State many firm and interested friends abroad; amongst which were some of the first Characters in the United States.

The Legislature at that and preceding sessions took great Care that their grants should not interfere with the former or other grants, nevertheless, at some of the succeeding sessions, grants of land were made in my absence and at other times Countervailing the principles that I recommended; and the Members in general not being acquainted with the principles of surveying did not pay that attention to these matters as ought to have been, both for the interest of the State and grantees.

Three resolutions of Assembly, seconded by Council, have been passed at different times, directing me as Surveyor-General to attest Certain bounds for one town; which has as often been refused; observing that I did not see it consistent with the obligation I was under to the State, to attest the bounds of a town to be inserted in the charter to be right that I had every reason to believe was wrong; but if the Council and Assembly insisted on them bounds, they could make out that Charter without my assistance — the charter was taken out — since which by actual surveys, it has been found that by them bounds the town would not contain but a very small tract of land; and that about twenty miles in length. In October 1782 I resigned the office of Surveyor-General for the reasons hereafter subjoined in the following address.

To His Excellency the Governor, the Honorable Council and General Assembly of the State of Vermont convened at Manchester, the address in representation of Ira Allen humbly sheweth:

That the Legislature at their session in June 1779 took into Consideration the propriety of having the respective Charters of lands recorded, and a chart of the state made for the security of the property of lands, to ascertain vacant lands &c. when I had the honor of being elected Surveyor-General, with directions to issue an advertisement for charters to be sent into my office for recording; in pursuance of which sundry Charters are recorded — That at October term 1779, the Exigences of the State induced the Legislature to begin to grant lands — That at several Sessions of the Assembly, I have requested the members to send me the charters of their respective towns for record, which has been neglected in sundry instances — That at June term 1780 I proposed, in order to make a Complete chart of the State, to ascertain the vacant lands, to settle some disputes respecting town lines, to quiet people in their possession while New, and to prevent future animosities respecting town lines — that the town lines throughout the State should be preambulated, at the expense of the respective towns or proprietors — that such preambulated lines should be laid down on a map in black ink — that the lines as specified in the respective charters, should be laid on the same map in red ink, and then returned to the Assembly: thus by a preambulation of the old lines only, Exhibit at one Complexed view the lines in the partial surveys, and the lines as specified in the respective Charters, by which the Legislature might be availed of every Circumstance, and then establish such bounds as to justice might appertain — that as there was a number of towns whose lines had never been ascer-

tained, as also a large tract of land then to be granted, I further proposed, that all such lines should be surveyed under the direction of the Surveyor-General, by approved surveyors and chainmen under oath; such, with their chart, to be returned to the Legislature for their approbation and establishment, thereby to prevent any disputes between any such towns respecting boundary lines; but the aforesaid proposals were rejected. That at the succeeding October session, from political expedience it was thought proper to grant a large number of towns. I was then Called on to ascertain vacant lands; When I proceeded with all the information I had been able to collect to make a Map of lands to be granted, but was under great Embarrassments, as I was not possessed of many Charters of towns that were adjacent to vacant land, nor by the distance of one tract of land from another that had been granted, however by urgent requests (from the Members of the Legislature) I Completed a map on which I Marked about fifty towns which was accordingly granted, and were to be bounded as near to the Chart then Exhibited as the former Grants Might be found to admit of laying said towns in as good shape as might be.

That sometime after granting the aforesaid lands in October 1780, I found means to possess myself of the bounds of the towns Contiguous to Connecticut river, in the bounds of the Upper Coos. By the advice of the Governor and Council an actual survey of part of Connecticut River has been Made, particularly specifying where the Corners of said Coos towns were on said river, that by this procedure it is found, by the peculiar Manner in which the Crooks in said river and by the establishment of the Corner of Guildhall, some of the towns granted by New Hampshire are laid in very bad form, so that by these Means the towns granted as aforesaid, are thrown into Confusion, some few of the Charters were taken out before this Matter Could be known, the remainder are suspended for the time being.

That at different sessions of the Legislature there has been several townships granted to gentlemen in different parts without particularizing bounds, but the conditions were understood to be thus, that as soon as Certain tracts of land Could be so far Surveyed, as that the out lines of the vacant lands Could be laid down on a map, such lands were then to be checked into towns, and the agents for the proprietors of the first town Granted in this manner were to have the first Choice, the agent for the proprietors of the second town to have the second choice, and so on.

That since the last of the aforesaid grants were made, the Legislature have granted several towns in said tract of land, specifying bounds for the same, the granting fees for several such towns being about Completed, applications are made for bounds by both parties, which are suspended; that upon examining the late grants, I find two townships granted in one place, where from my personal knowledge of the Country, I have reason to believe there is scant room for one. There are several embarrassments that I am apprehensive will attend some of said grants. In fine there are partial acts and resolutions of assembly, &c. that Countervene all general rules that have been adopted to ascertain and locate vacant lands which together with other Embarrassments renders it impracticable for me to draw bounds for sundry towns with that Exactness which I think ought to be both for the interest of the State and grantees: it is further to be observed that in the vicinity of White River there are a number of Charters taken out, that for want of proper surveys, &c I was obliged to draw the bounds in very abstruse terms, & if there is not some directions given to the surveyors of them towns, there is danger of mistakes by inexperience or inattention of

Surveyors that may be productive of great disputes in future respecting town lines.

Repeated applications have been made to me from different parts of the State, to give some directions whereby disputes might be settled between towns respecting boundaries, but there have been no principle adopted by the Legislature to make grants of land at different times, I feel a willingness to serve the State in any Capacity I may be requested to, that I can discharge to the interest of the State, and preserve my own character, but when I view all the Embarrassments that I labor under as Surveyor-General, that whatever mistakes there may be in consequence of particular resolves of Assembly directing as to single Charters, want of former charts, actual mensuration, &c. the blame will naturally devolve on me. For these and other reasons too prolix to be here inserted, I have thought fit to resign my office & do hereby resign my office of Surveyor General.

I thought it my duty to Commit to writing the principle facts that were recent in memory that might be serviceable in future regulations, and the more so as I was sensible there were by the late election a number of gentlemen in the Legislature that were not particularly acquainted with the aforesaid matters.

I have the honor to be Your Excellency's Most obedient humble servant,
IRA ALLEN

It is observable that the difficulties that have arisen in the towns contiguous to White River, were suggested in the preceding address; and had some proper principles been seasonably established so that regular surveys had been coeval with settlement, it would probably have prevented most of the present disputes, and added much to the population of the State. Different titles, interests, and views, have made, and still continue, jarring discord, and opposition to the surveys.

In October 1782, the Legislature passed a resolution, giving general instructions to the Surveyor-General's department, and passed part of an act for the regulation of town lines; in Feb. 1783 an addition was made to said act: at this time it was expected that each town would cheerfully furnish the necessary supplies to the Surveyors and their assistants, their wages were established by the day, at what appeared to be high; a packman was to have six shillings and his keeping. In this situation the surveys began — experiences soon taught that which had been before suggested, that for a Surveyor to be dependent on towns for provision, and part of their men, would work great delays in waiting for provisions and men and instructing new hands their duty, &c. Some delays were made in Norwich & other places; the most material was in Thetford, for which I refer the reader to the following certificate, viz

ARLINGTON, *July 15, 1786*

These Certify, that some time in the summer of 1783 I met Samuel Moore Esq. one of the Surveyor General's deputies, in Charlestown No. 4 with a number of men, who informed me, that he had been much hindered in prosecuting the running of town lines, by waiting for men and provisions in different places — that the inhabitants of Thetford refused to furnish supplies to run the lines of that town, unless the same might be done as

they should direct — that after a number of days spent in debating this matter, and trying to get provisions, not having money, he was obliged to quit the business, and had come so far down on his way to find the Surveyor-General; upon which I advanced him some money to purchase provisions for the running the lines of Thetford, and Mr Moore and men returned to the business.

THOMAS TOLMAN

The Surveyor, and the men he had ready for business, must be paid for their time and expense in such delays, sickness, and wet weather, which enhanced the bills of expense. The Charters of Newbury not being found, the Assembly in pursuance of their act, gave bounds for Newbury. Some time after the lines were run, it was found that a copy of the Charter was in the archives of Gen'l Jacob Bailey, by which appeared that the bounds given by the Assembly were not right; in consequence of which, I was advised by the Council to run the lines a second time, which was done. In October 1783 I moved to the Governor, Council and Assembly, informing, that for the Surveyors to be dependent on the inhabitants, owners of the respective towns, for provisions and part of their men, made great delays — that it would be impossible to carry on business so another year; and that the wages given packmen, &c was too high. I therefore recommended, that provisions and Spirits should be Contracted for that fall; & that the Surveyors should be regularly supplied by packmen, &c and that their men should be hired by the month, for the season.

An Act was then passed, requesting and Empowering the Governor and Council, to take such measures as to them should appear eligible, to purchase stores to complete the survey of town lines in this State; (some stores were accordingly contracted for)

At the adjourned session March 5, 1784 the Assembly resolved that it be an instruction to the Surveyor-General that he do in all Cases where the Exigences of the business of surveying will admit, Engage Chainmen, line-markers, pack-bearers, &c. by the month in the cheapest manner, keeping regular accounts thereof for settlement. Of this resolution Messrs Moore and Van Allen were seasonably informed. In the spring they arrived at Onion River; Mr. Moore brought with him two Chainmen; Mr Van Allen brought with him a number of men who had been assisting him to complete the Survey of the Two Heroes; a question soon arose about the wages of the men.

Stephen Laurence, Esq whom I had left to conduct the business, offered to give them the same wages he gave others. Mr Van Allen thought that their wages ought to be nearly as high as was given by the former act, which was refused. Messrs Moore and Van Allen consulted and informed Squire Lawrence, that their men would go home in the Morning, and that they should go with them, if the men could not have higher Wages. Squire Laurence gave for answer, that he had men enough ready to go with them for three pounds per Month — that it was his instruction not to give More;

and if their men declined going, he had men and provisions sufficient to set them to work the next day; — but they left the ground the next morning.

Thus business was stagnated in parting with two good surveyors, to regulate the wages of men. It was necessary that two surveyors should be together, to establish the corners on Onion River, as the stream is Exceedingly crooked — Corners to be made on both sides on different angles and distances, which necessitated many and difficult calculations, as all were to be done by figures, without planning, or at least placing dependance on plans; but few surveyors in these parts understand the art of surveying sufficient to proceed in this correct method; besides many other qualifications are necessary for an accomplished surveyor — one mistake may make great difficulties, as one town is dependant on another, &c.

Two more surveyors were found, who repaired to Onion River, and began business; one of the Surveyors and several of their men were soon sick with the fever and ague, and obliged to quit business. Another surveyor assisted to complete the line about forty miles up the River, but a small mistake having crept into the work, all except six miles was to be done again: the same surveyors have since completed them lines.

One surveyor, and men to assist him, went on last summer; the surveyor run a line about ten Miles, when himself and about half his men were taken sick; in a short time the remainder were sick; & after some attempts were made to restore them and others to health, they were obliged to return home. Other surveying parties have been much delayed by sickness as also by wet weather. After engaging the best of men unavoidable accidents procrastinated business and many Embarrassments have and do attend furnishing supplies &c as the State have advanced but little cash.

I here invite the Candid reader to take a retrospective view of the wages allowed the men who assisted the surveyors by the former act; the common Wages now given are three pounds per month; together with the different mode of securing supplies; observing that the surveyors are not to wait for men or provisions; calculate the odds in the Expense, a pack man at six shillings per day one month is £7.16.0, other savings alluded to above would doubtless be about £1.4.0, a pack man at 60s per month £3.0.0. by which it appears, that in this part of the expense, three pounds will do about as much business now, as nine pounds did by the former act.

With respect to the twenty-four towns taxed by the Governor & Council, they were principally run under the former act, as were some lines contiguous to the Lake. That the expence in these towns should be high, is not strange, when the preceding matters are taken into consideration. The Governor and the Council, after finding the amount of the expence of running the lines of these towns, divided the same equally to the respective towns, supposing that to be consonant with law and equity.

The acts of the Legislature allow me as Surveyor General, pay for

my time and expence in giving instructions to my deputies, and procuring stores, which amount to eighteen shillings and four pence on each town, as taxed by the Governor and Council. The laws, as construed by the Governor and Council, allow me nothing for my time and expence in attending the Governor and Council for settlement of accounts, for advertising the same in the papers, for the trouble of receiving in money from the several proprietors, for taking out the extents from the Secretary of Council, delivering the same to the respective Sheriffs, taking their receipts therefor, collecting the money from such Sheriffs, and paying the same to the several persons who assisted in the surveys or furnished any supplies therefor; yet the law seemed to imply, that these services were to be performed by me. Considering the wages allowed me by the law, supposed this to be an inadvertent omission. I therefore observed to the Governor and Council, that as it was out of their power to make me any allowance, and as part of the money would soon be wanting to fulfil certain contracts made in behalf of the public, and to carry on the surveys this summer, I would do the service without pay; and to accomodate the people, would at my own expence engage some trusty person to receive in the money from the respective proprietors for the term of two months, who was an inhabitant in said town; in consequence of which, Abner Chamberlain, Esq. of Thetford was appointed.

This State, at the most critical period of her existence, made grants of lands to many of her best friends in the neighboring States, and received a valuable consideration therefor, and gave charters of such lands, with certain conditions of settlement, to be complied with in three years, or their lands to revert to the freemen to be by them regranted. In sundry instances the time is expired, and the proprietors have not been able to find their lands, notwithstanding repeated applications. I am well assured, from good authority, that there are large numbers of families that would soon move to some of these towns, if the lines could be ascertained, and the lands should be good; government having received their pay for such lands, in justice to themselves and grantees, ought to have conserted the most effectual measures to survey and settle the same, that it might be further serviceable to government, by adding to its wealth, strength and importance.

Most of the twenty-four towns taxed as aforesaid, having petitioned in a constitution alway to have the collecting of said tax suspended until the next session of Assembly, that they may be heard thereon, they will be gratified therein.

What allowance the Legislature may make to the first towns surveyed, in consequence of the extraordinary wages by them ordered to be given, is for the consideration of the people, and decision of the Legislature.

The circumstances of the towns on which the new grants were dependent, was materially different; some towns being settled and the lines formerly run, and that nearly right; in some instances two

and three old lines and corners were all challenged for the right; other towns had neither settlement or lines; in this situation I was advised to begin where the charters begun, and run according to the charters which has been done. This method has dissatisfied some. Had any other general principle been established, it would probably have made as great uneasiness, and not have been so equitable.

This expence has been made under the direction of the Legislature, principally to find the new grants or vacant land; at the same time they had in view to regulate the town lines throughout the State, and have them perambulated once in three years ever after. Should any other method be adopted to perambulate or establish the town lines in the southern part of the State, the towns will doubtless be at the expence, or suffer the inconvenience that may arise from its not being done. The towns which have or may be run, will have a survey bill of their respective town lines, particularly mentioning their corners and mile trees, or monuments on each line, and a correct chart of the whole will be made out.

These lines, survey bill and chart, may doubtless save the old towns which are surveyed, the expence of perambulating such lines, and of disputes in future respecting such lines, if so, they are benefited by this survey, and ought in justice to pay accordingly.

The towns which had disputed lines, and others which had no lines, by having their lines ascertained in manner aforesaid, are most clearly benefited by this survey; and doubtless will cheerfully pay their proportion of such expence. That the expence of running town lines should be a State cost, as argued by some, appear to be unjust. Those that are benefited by the ascertaining an establishment of town lines, ought to pay the expence thereof.

It is well known that a large share, perhaps one half of the new lands in the northerly part of the State, are owned by gentlemen in other States. Very considerable tracts of land are owned by gentlemen in this State that are not higher in the grand list than their neighbors, who have little or no new lands. One instance may be depended on, that settling and enriching the northerly part of the State, will, no doubt, be beneficial to the whole, but that cannot make it reasonable that the rich, and the poor, in all parts of the State, that are not interested in these lands, should have a heavy tax laid on them to pay the expence of running town lines for gentlemen either in or out of the State.

These are matters for the perusal of the people, and determination of the Legislature. The preceding are as concise a stating as would give a proper understanding of the rise and progress of these matters, and are published for the information of the public, by

IRA ALLEN

While this controversy was disturbing the political atmosphere within the State, matters equally important were occurring without its boundaries. Allen's efforts, in 1785, to obtain trade reciprocity with Canada, were beginning to bear fruit.

At a general meeting of the merchants of London Trading to the Province of Quebec, held at the New York Coffee House, the 24th January, 1786.

We the said merchants, whose names are underwritten for ourselves and agreeable to the urgent and reiterated complaints and applications of the inhabitants of the Province of Quebec, think it necessary and expedient that a representation be made to his Majesty's Ministers of the distressed and deplorable state of that Province, stating and submitting to them the following measures which we humbly apprehend to be most likely to prove effectual for quieting the minds of his Majesty's subjects, there extending and securing the commerce and protecting the property of the British merchants. . . .

Vermont; This new State, which is already become very populous and which has no sea ports, but through this Province must require considerable quantities of European manufactures for which to avoid the duties and heavy charge of transporting them by land, through the American States, would naturally have recourse to Canada and prefer the British manufactures to which they have been accustomed, were the communication allowed. We do not conceive such communication under proper restrictions could be attended with any evil, on the contrary, it must be productive of great trade and riches to the Province of Quebec, and in consequence, the increase of British navigation and Commerce.¹

It is a point of interest that in his effort to establish reciprocity with Canada, Allen had the support of the Montreal merchants, and that later, when he applied for a British charter to build a ship canal connecting the St. Lawrence River with Lake Champlain these merchants vigorously opposed it for fear that Quebec would take from them their trade with Vermont.

Allen in May had started a raft of timber for Quebec, and Levi, at St. John's, was to take charge of it. On June 16, from Chambly, Levi wrote:

The false account I had of your Mill tenders, in particular from Mr. Heath who affirmed 47M and upwards of boards were sawed at your mill has put me to a considerable expense . . . the blunders made and misfortunes met with on the rapids . . . has put me to seventy dollars cash to advance . . . be extremely cautious who you trust, times was never more uncertain nor common faith and honesty less regarded; . . . On my return shall wait on you at Onion River . . . Butterfield has joined me in the bason . . . all is well, enemies lift up their heads for different reasons, the most of which are from quarters have experienced nothing of since the damed war.²

¹ *Canadian Archives*, Q-26-I, p. 36.

² *Stevens Papers*, New York State Library; Wilbur Photostats, Library of Congress and University of Vermont.

On his way home he wrote from near Three Rivers August 18:

After much fateague, once cast away and then a very strong opposition made by interested, designing and malicious men, have compleated my business at Quebec and got so far back; the next and main thing to be attended to is punctual payment for the sum remaining. . . . Timber and all lumber is quite a drug, none got more than 5*d* per foot except myself, I got what contracted for.

He describes the kind and dimensions of timber they want.

And except you look well to business at Onion River nothing will be done. The men you hire in general do not earn the provisions they eat; if by chance a good man comes, one month at Onion river will make him as bad as the rest. business must be properly attended too or given up at once and wait the rise of land, for without punctuality trade is not worth a continental dam.¹

He left Butterfield in 'gaol' in Quebec.

Allen was preparing to leave Sunderland and locate permanently in Colchester. He wished to retire from public office and devote his entire attention to developing his large properties in the northern part of the State. He made many contracts and agreements during the early part of the year, with men in Arlington and other places, to operate his mills and construct new ones. With all these different enterprises to manage, he was plagued with letters regarding many contracts made by his deceased brother Zimry, prior to 1775. From Sunderland, on April 26, he opened a correspondence with Fraser & Young,² a mercantile house in Quebec, and developed a large lumber trade with them. He also agreed with them to be responsible for any debts contracted by his brother Levi, and this arrangement proved most unfortunate.

The next few months were filled with perplexities. A note of hand for £169, dated in 1784 and a year overdue, was suddenly presented;³ his surveyors in the eastern part of the State deserted his deputy and the field party in the north of the State did likewise. Whitelaw wrote from eastern Vermont, 'surveying is at present out of credit and surveyers the most dispised set of beings in this part of the country.'

¹ *Stevens Papers*, New York State Library; Wilbur Photostats, Library of Congress and University of Vermont.

² *Ibid.*

³ *Ibid.*

In June, Allen went to the Connecticut River to direct the surveys being made near White River. On July 10, he attended a meeting of the Council at Sunderland 'on the difficulties respecting town lines,' and in August he attended another meeting of the Council at Arlington, 'there not being a quorum made a written agreement instead of a resolution on what terms I should [take] Woodbridge. [township] Difficulties still arising about collecting taxes.' ¹ Neither of these meetings is reported in the printed records.

In August, Ethan Allen and Lucius Allis got into difficulties over tax money and, as usual, Ira was called upon to furnish aid. Ethan Allen made a characteristic explanation in his letter from Sunderland August 18:

I am drove almost to death for money; . . . I received fifteen dollars of a Mr. Lucius Allis of Conway . . . to pay it to Ebenezer Allen for the taxes on three rights on the Heroes, but used the money and sent a letter to Colonel Allen informing him of it and . . . desiring him . . . not to sell them for Taxes as I would soon pay him the said fifteen dollars, pray look Critically into this matter for Mr. Allis gave £40. for the three rights and I must make good all damages to him, if they are sold. And as to the three ugly rights, in the Heroes I am obliged to procure for Mr. John Kelley of New York do not fail to procure them you will remember I have talked with you on this subject, fail me not, you must get a good title be the land ever so bad, fail not.

He wrote that he must go to Pennsylvania to look after his interests in Wyoming Valley and on the 22d, his lawsuit with Colonel Jonathan Hunt would come on.

Though I have not a copper of money to save me from the Devil. We are rich poor cursed rascals by God, alter our measurers or we shall be a hiss, a proverb, and a bye word and derision upon earth.

In September, Ira Allen was elected a member of the Assembly from Colchester. His large private interests made it inconvenient for him to serve the State, but a seat in the Legislature gave him advantage in protecting himself and his interests. He prepared for a hostile Assembly by obtaining from the Governor and Council on October 8, four days before the Assembly met, the charter to Woodbridge and Alburg townships giving a bond to the Governor to protect him in the is-

¹ New York State Library, Wilbur Photostats, Library of Congress and University of Vermont.

suance of the Woodbridge charter. This charter issue was thought to be the cause of Chittenden's defeat for Governor in 1789.

The Vermont Assembly and Council met at Rutland October 12. Thomas Chittenden was elected Governor and Spooner, Lieutenant-Governor, but he declined and the old obstructionist, Joseph Marsh, was elected.* Nathaniel Niles was elected to the Council, but he declined; then Benjamin Emmons was elected in his place and he declined (he wanted to stay in the Assembly to have Woodstock, his town, made a shire or court town of Windsor County). Finally Isaac Tichenor was elected. Joseph Fay, who had retired in 1784, was elected Secretary of the Council. There were five Councilors from eastern Vermont, two of whom were avowed enemies of Ira Allen. There was no choice of Treasurer by the freemen, and Samuel Mattocks was elected by the Assembly and Council. It is probable that Ira Allen refused to be a candidate. The day after Mattocks's appointment the Assembly requested Allen 'to open and continue the office of Treasurer during the present session [they evidently wanted to be paid at its close] and to forward an express at the expense of the State for the necessary papers.' The members realized Allen's efficiency in handling these matters. Since the organization of the State in 1777, he had furnished paper, quills, ink, arranged for the meeting place and paid all the expenses of the sessions whether the State had any money or not, and though his enemies were avid in criticism they did not scruple to avail themselves of his services where such services inured to their advantage.

At Allen's request the Council appointed Levi Allen one of the commissioners to negotiate a commercial treaty with Canada, in place of Joseph Fay, resigned.

The proceeding of the Legislature in which Allen was interested, or which affected him in one way or another, was the passage of an act authorizing him to continue his work as Surveyor-General and to make a map of the results, the State to pay him with vacant land at the regular price. The fact that Tichenor and Bayley were on the committee that favorably reported this act, which was passed by a large majority, throws into strong relief the inconsistency of their opposition to

* He did not enter upon his duties until February, 1787.

Allen. Much as they disliked and slandered him, they had to concede the value of his services in surveying and mapping the State. He had already reported his surveys to the House and Council and exhibited a map of his work, as far as it had progressed. A sub-committee reported that the surveys were correct, though the grants by New Hampshire overlapped in some instances.

Bezaleel Woodward in September and October endeavored to so commit Vermont to Dartmouth College, that Vermont would not establish a college unless it was made a branch of Dartmouth. That institution offered to educate sons of Vermont free of all expenses including tuition, 'thus £4, hard money is saved or £16, in four years, every two hundred youths save £3,200, in gold and silver.' On October 20, they added to this offer and agreed to establish and support one school or academy in each county in Vermont. In return they expected large grants of land. The Committee to whom it was referred recommended postponement to the next session, publishing the offer in the newspapers.

To prevent Dartmouth College acquiring the lands in Vermont granted by Benning Wentworth to the British 'Society for propagating the Gospel in Foreign Parts,' Ira Allen, Nathaniel Chipman, and Matthew Lyon petitioned for authority to form a society to take over this land, but the petition was dismissed. Allen joined with Governor Chittenden and Joseph Fay in petitioning that the heirs of Dr. Thomas Young 'Might have a grant of land in consequence of the decided part he took in our favor in the most critical moment that respected the existence of this State; and that he pointed out the system to be pursued to establish government by a separate jurisdiction &c. and that his family are now in low and indigent circumstances.' Action was postponed to the next session.

Luke Knowlton was granted ten thousand acres of land as soon as the Surveyor-General could locate it, for having paid out £950 for land to which he had received no title. He seems to have paid this to New York, and Vermont was now going to reimburse him. One petition was filed by Ira Allen and Ebenezer Allen setting forth that they were lieutenants in a company commanded by Micah Vail and Oliver Porter in 1775, said companies being in Colonel Seth Warner's regi-

ment, and praying that 'they may have pay for said companies in the same manner as has been allowed others.'

The Governor received the fees for lands granted and deposited them with the Treasurer. A committee reported that they had found receipts given by the Treasurer for all money received by the Governor for fees £31,388, and \$104,000 in Continental money. A committee of the Assembly and Council was appointed to confer with Ira Allen and Samuel Mattocks relative to transferring the Treasury office to the latter. An act was passed, for the Auditors to attend upon 'Ira Allen Esq., late Treasurer,' at his office as soon as the Assembly adjourned and remain there 'until the settlement of his said accounts be fully completed.' The Treasurer was directed to close his accounts and on February 1, next, to deliver all papers, books, plates, and type used by him in striking notes and warrants to 'Samuel Mattocks, Esq., Treasurer of this State.' A committee was appointed to revise the laws and it was recommended by the Council of Censors that the Legislature alter the act to open a trade with Canada 'so far as to provide that no further expense shall accrue to the State; . . . unreasonable to tax the inhabitants of the state at large to defray the expense of a treaty the benefits of which will be partial and confined to a few individuals.' Those men, residing in eastern Vermont, and a few in Bennington, objected to any treaty with Canada which would not plainly benefit them.

Levi Allen, in Canada, addressed the following letter to Lord Dorchester, on the 22d of November:

The wishes of the inhabitants of Vermont to me signified, are to have your Lordship's permission to bring into the Province, free of all duties and customs, masts, spars, bowsprits, yards jacks, oak ship plank, pine deck ditto, futtocks, knees, ship timber, and lumber of every sort, kind and quality; tar, pitch, turpentine, tallow, and all sorts of naval stores, iron, flax seed, hemp, honey, beef, pork, wheat, barley, peas, indian corn, rye, butter, cheese and all and every kind of provision, pot and pearl ashes, apples, cider and vinegar, or anything else herein not enumerated, the same being the growth and produce of Vermont.

And further, to have liberty to sell or barter the produce of Vermont aforesaid in the Province of Quebec, or any other of his Majesty's Provinces, and if need be to transport the same to Great Britain, or the British West Indies, in British bottoms, agreeably to the navigation Act, and to bring back in return British manufactures, East or West India goods, or the produce of His Majesty's Colonies,

by way of the waters of the River St. Lawrence to Vermont, (Pelt-ries of all kind only excepted) paying the same duties and customs the inhabitants of Quebec pay and no more.¹

Allen's chief activity during this session of the Assembly lay in preventing the passage of many acts that would have been adverse to the welfare of the early Vermont settlers, among whom he counted himself. One bill which he introduced, and which was passed, was 'to prevent persons in Kingdoms and governments from collecting debts in this state where the inhabitants of this state can not recover by law just debts.' This served to stop London and Quebec merchants from suing for debt in Vermont until some provision was made allowing suits in their courts by a resident of Vermont. October 30, in committee of the Assembly and Council, Allen, Moses Robinson, and Isaac Tichenor were elected agents to the Continental Congress. These agents were elected each year, but, with Vermont undesirous of joining the Union, they did not attend the Congress.

The Assembly adjourned, after a good deal of friction with the Council, October 31, 1786, and it was during this session that Allen resigned his judgeship in the Addison County Court. This resignation does not seem to have been viewed as a confession of venality by his enemies, and the Assembly, before it adjourned, appeared to have forgotten its suspicions and 'Resolved that the Hon. Ira Allen be requested to issue hard money orders until February 1, 1787.' It was, sometimes, inconvenient to believe in one's own charges.

The general uneasiness and sporadic disorders in New England were reflected in Vermont. The day the Assembly adjourned, a mob in Windsor attempted to overawe the court and in November a Rutland mob did besiege and hold the court-house for a time. Reports of the situation were rather wildly exaggerated. The *Vermont Gazette*, of November 20, published what purported to be extracts from a private letter written in Halifax, Nova Scotia, to some one in Boston.

Troops are pouring in Nova Scotia and Canada from home, every day, the posts in the United States are daily fortifying — the garrisons [held by the British] are increased — Commissioners from Vermont are, at this moment, in treaty with the British Commis-

¹ *Canadian Archives*, Q-28, p. 7.

sioners at Montreal,¹ to bring about an union with the old government: a storm is gathering over your republics.²

The same number of the *Gazette* voiced a suspicion that this and other reports, causing alarm and discontent, came from New York.

It is currently reported, and the report gains credit, that secret emissaries from New York, and creatures corrupted by their influence, are secretly at work in every part of this state, fomenting uneasiness among the people, and promoting insurrections. The first essay is said to be to raise a jealousy respecting us in the United States, by industriously spreading reports that we are in secret treaty with Great Britain, and on any future emergency shall espouse her cause; and then, under specious pretences, to raise cabals in this State, induce the unwary to join in their nefarious schemes, to rise in opposition to legal authority, and stop the course of Justice. Arise ye freemen of Vermont! Defend Your injured independence! Let no insidious foe precipitate Your ruin, by persuading you to raise the Arm of desperation against Your own Life! Liberty! and property!³

The end of this year found Ira Allen more deeply engrossed in his private affairs than formerly. He had built a new home for himself in Colchester, though still retaining the old house in Sunderland; he had erected mills and arranged for their operation and, though his political ties had been loosened, he was still enmeshed in the old toils with no prospect of clearance before February, 1787, and with many indications that, because of the false light in which his enemies placed him before the new settlers, he would be forced to continue his political activities much longer than he desired.

¹ Levi Allen's presence in Canada was, evidently, known.

² Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 3, p. 399.

³ *Ibid.*, p. 400.

CHAPTER XV

THE TREASURER'S ACCOUNTS AND CANADA TRADE

1787

THIS year brought Vermont in contact with the excitement in Massachusetts known as 'Shays's Rebellion.' Captain Daniel Shays had endeavored to enlist Ethan Allen, and had offered him the command of all the insurgent forces, but Allen declined, in a letter to be shown to the Governor, in which he stated that no asylum would be given in the State of Vermont to the insurgents of Massachusetts.¹ When Shays's attempt collapsed, he and many of his followers fled to Vermont, unmindful of Ethan Allen's letter. They were followed into the State by Royall Tyler, a Boston lawyer, and emissary of General Benjamin Lincoln, who had been selected by Massachusetts to suppress the 'Rebellion.' Tyler was to apprehend Shays and his followers and he requested Governor Chittenden to issue a proclamation covering the situation. The Assembly took the matter up and, after many days of bitter debate, finally approved issuing the proclamation, but Chittenden was affronted at the failure of Massachusetts to address him as Governor of Vermont and refused.² Tyler was very much disgusted, but, after he left Vermont, the proclamation was signed by the Governor and made public. In a private letter dated February 20, Tyler wrote: 'There is a certain embryo Government [in Vermont] which is as weak as water; it will be like that spilt on the ground, not to be gathered — very soon or I am mistaken.' This statement from an able man, who later made his home in Vermont and who became Chief Justice of the Supreme Court of that State, is a fair example of the lack of understanding of the Vermont situation.

On Thursday, February 22, Allen presented to the Assembly written 'reasons why he had not attended to settle his accounts as Treasurer; which was read, and the question being

¹ Ira Allen's *History of Vermont* (London, 1798), p. 247, and Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 3, p. 379.

² *Massachusetts Archives*, Tyler memorial to the General Court.

put, whether any order shall be taken on said paper? It passed in the negative.' ¹ On Thursday, March 8,

The bill, entitled, *An Act to direct and compel the settlement of the late Treasurer's accounts &c*: with the amendment made to the bill, were read, and the question being put, whether said bill should be again sent to the Governor and Council for revision and concurrence? The Yeas and Nays being required on the question, they stand as follows, viz: [Yeas twenty-nine, Nays twenty.]

There is no record of this bill having been considered by the Governor and Council and no act was passed at this session compelling a settlement with the Treasurer; but Joseph Marsh, Jonathan Hunt, and Jacob Bayley, who had opposed the independence of Vermont, had sufficient political power to secure grants of land which the mistrusted Surveyor-General was to locate for them. On the last day of the session it was resolved:

That the Honorable Ira Allen, Esq. late Treasurer of this State, be requested to pay the arrearages of the debentures of Assembly and the late Constitutional Convention, remaining in his office, or such part of the same as shall be applied for *before a settlement of his Accounts by the Auditors.*²

The Assembly adjourned on March 10, having voted to hold the annual election at Newbury.

As early as 1785 many of those New York citizens who held titles to lands in Vermont under New York charters, wishing to sell their holdings, employed William Samuel Johnson as their agent. Johnson, while a member of Congress, had written to Chittenden, October 18, 1785, soliciting his help to induce the settlers on the New York granted lands to purchase them of the New York proprietors. Now, in the spring of 1787 no less a person than Alexander Hamilton, then a member of the New York Assembly, introduced a bill entitled 'An act to empower and direct the delegates of this state in Congress, to accede to, ratify and confirm the sovereignty and independence of' Vermont. It provided, however, for preserving the New York titles to which Vermont would not have consented. Only extracts from his speech, when he introduced the bill, were published at the time. In addressing the Assembly he said:

¹ Vermont, *Legislative Journal*, February Session, p. 19.

² *Ibid.*, p. 62. The italics are the author's.

I confess I am in the habit of considering the state of this country replete with difficulties, and surrounded with danger. The anxiety I feel on this head has been my inducement to bring forward the present measure. I view with apprehension the present situation of Vermont over which this state claims jurisdiction, and whose pretensions to independence have never yet been formally recognized, either by this state, or the United States. . . . Vermont is in fact *independent*, but she is not *confederated*. And I am constrained to add, that the means which they employ to secure that independence, are the object of the utmost alarm to the safety of this state, and to the confederation at large. Are they not wisely inviting and encouraging settlers by an exemption of taxes, and availing themselves of the discontents of a neighbouring state, by turning it to the aggrandizement of their own power. Is it not natural to suppose, that a powerful people both by number and situation, unconnected as they now stand, and without any relative importance in the Union, irritated by neglect, or stimulated by revenge — I say, is it not probable, under such circumstances, they will provide for their own safety, by seeking connections elsewhere? And who that hears me, doubts, but that these connections have *already* been formed with the British in Canada? . . . confederated with a foreign nation, we can be at no loss to anticipate the consequences of such a connection, nor the dangers from having so powerful a body of people, increasing rapidly in numbers and strength, associated with a foreign power, and ready upon any rupture to throw their weight into an opposite scale. ¹

He called his hearers' attention to the great difference in the taxes in Vermont and that of the adjoining States. No one opposed to this bill evidently felt equal to coping with Hamilton's argument, so they employed Richard Harrison, an eloquent and distinguished lawyer, who though not a member was allowed to address the Assembly. His address ² was along legal lines, and the first point he made was, that if the Assembly could dismember the State by taking off the three northeastern counties, 'by the same rule they may declare the southern district independent of the others.' He then made light of the reports that Vermont was seeking a connection with Great Britain, and if it was, now was the time to stamp it out. He admitted Vermont's lower taxes and other advantages, but declared 'it would undoubtedly be improper to sacrifice the honor and dignity of the state to such small and uncertain advantages.' He stated that this bill made no pro-

¹ *Vermont Journal*, May 7, 1787; Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 3, p. 421.

² *New York Daily Advertiser*, vol. 3, No. 657, Tuesday, April 3, 1787; Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 3, p. 424.

vision to compensate New York citizens for property they had acquired in Vermont, and closed with the suggestion that if New York should decide to acknowledge Vermont's independence, commissioners should be appointed to agree on terms.

Hamilton was thirty years old at this time and the argument he made in reply 'is among the most able fragments of his eloquence which have been preserved.'¹ After stating how disastrous it would have been for New York to have attempted to subdue the people of Vermont by force during the war with England,

the peace found Vermont in a state of actual independence, which they had enjoyed for several years — organized under a regular form of government, and increased in strength by a considerable accession of numbers. [A compliment to Allen and Chittenden]. It found this State, the principal seat of the war exhausted by peculiar exertions and overwhelmed in debt . . . the public debts are unprovided for, and the public credit prostrate. . . . Where are our resources, where our public credit, to enable us to carry on an offensive war? . . . The population of Vermont will not be rated too high if stated at nearly one-half that of New York. Can any reasonable man suppose that New York, with the load of debt the revolution has left upon it, and under a popular government, would be able to carry on with advantage an offensive war against a people half as numerous as itself, in their own territory; a territory defended as much by its natural situation as by the numbers and hardihood of its inhabitants?

He discussed the constitutional question and took up the British negotiations, stating that Ira Allen and Jonas Fay,² 'two of the most influential individuals in that country,' had been to Canada in 1781.

If this connection ever existed, what reason have we to believe that it has been dissolved? . . . Great Britain cannot but see our governments are feeble and distracted; that the Union wants energy; the Nation concert. That our public debts are unprovided for; our federal treasuries empty; our trade languishing. She may flatter herself that this state of things will be productive of discontents among the people, and that these discontents may lead to a voluntary return to her dominion. . . . In this view, she would naturally lay hold of Vermont as a link in the chain of events . . . and nothing could better answer the purpose of accelerating the progress of discontent

¹ *History of the Republic*, pp. 230-35, Hamilton's Works (New York, 1850), vol. 2, pp. 375-90.

² Jonas Fay never went to Canada.

than the example of a country, part of ourselves, comparatively speaking, free from taxes. Nothing could have a more powerful influence than such an example upon the inhabitants of the settlements bordering upon that country. How far and how rapidly it might extend itself is a matter not easy to be calculated. . . . A connection [by the British] with Vermont will hereafter conduce to the security of Canada, and to the preservation of the Western posts. . . . If Great Britain has formed the design of finally retaining these posts, she must look forward sooner or later to a rupture with this country; . . . and, in such a case, Vermont would be no dispicable auxiliary. . . . On the part of Vermont, while their fate in the American scale remains suspended, considerations of safety would direct them to such a connection with the British government. They would not choose to lie at our mercy, or to depend on their strength, if they could find refuge or support elsewhere. There is a circumstance, too, mentioned with a different view by the counsel for the petitioners which would contribute to this connection [commercial]. I ask, does not this situation, which it is supposed might have so powerful an influence, afford a strong presumption of the existence of such a connection?

He doubted whether Vermont would accept independence, but said,

her refusal would be a conclusive evidence of a determined predilection to a foreign connection; and it would show the United States the absolute necessity of combining their efforts to subvert an independence so hostile to their safety.

The bill passed the Assembly April 11, twenty-seven to nineteen but failed in the Senate.

Hamilton appreciated the importance of Ira Allen's effort to keep up a commercial connection with Canada. Allen, almost alone of all the Vermonters, seemed to realize the prestige it would bring that State.

James Madison wrote to George Washington, on March 18, of Hamilton's effort and predicted that if Vermont accepted, it would be on two conditions: ' (1) that neither her boundaries nor the rights of her citizens shall be impeachable under the 9th Article of Confederation; (2) that no share of the public debt already contracted shall be allotted to her.' ¹

On April 10, Lord Dorchester wrote to Lord Sydney:

The gentlemen of the third class,² do not wish Vermont to confederate at present, although no strangers to the part she has acted.

¹ *Writings of James Madison*, vol. 1, p. 283.

² 'Those who wish an hereditary monarchy with a form of Government, resembling Great Britain.'

They wish Great Britain to retain the Forts at this time and to be strong in Canada. They do not desire any commercial treaty to be formed at present, but think a few particular indulgencies might be well.¹

Although the British Parliament had prohibited trade between the United States and Great Britain and the Loyalists in Canada petitioned against it,² Lord Dorchester, on April 18,³ issued a proclamation allowing free trade through Lake Champlain. On April 30, an act or ordinance was passed by the Governor and Legislative Council ratifying the proclamation. Its terms were not limited to Vermont, but the advantages were almost exclusively enjoyed by the people of that State. Great Britain could not make a separate agreement with Vermont 'without infringing the peace [the treaty] of 1783.'⁴

On May 1, Ira's birthday, he and Ethan entered into an agreement regarding their mutual interests in the Onion River Company. They were now the sole surviving partners and Ira represented the estates of the deceased members. To enable Ira's sawmills to operate, Ethan relinquished his interest in four hundred acres surrounding each of the mills. Besides other lands deeded to him Ethan was given a thousand-acre farm near Burlington, and Ira agreed to build him a home in which he lived until he died, and furnish goods to the value of one hundred pounds, from the Onion River store on August 1 of each year for seven years. The undivided lands were to be assigned after a survey was made and a mutual bond of ten thousand pounds, for the performance of the agreements was signed.⁵ Ethan's health was breaking and the burden of maintaining his home, more or less, fell upon Ira. On June 3, from Burlington, Ethan wrote to Levi in Canada:

I embrace this opportunity to write you on the subject of wheat or flour, a subject of the utmost moment to Colonel Ira and myself; it is a pinch with us and will be so till harvest, pray help us. Ira is gone to Quaker Danbe [Danby] and as far as Sunderland where he has

¹ *Canadian Archives* Q-27-1, p. 96.

² *Ibid.*, Q-27-2, p. 989; Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 3, p. 402.

³ *Ibid.*, Q-28, p. 9.

⁴ *Vermont Gazette*, December 10, 1787.

⁵ *Stevens Papers*, New York State Library; Wilbur Photostats, Library of Congress and University of Vermont.

quantities of pork to bring forward but we rely on you for the articles of bread till harvest as it is not to be purchased in these parts even for money, which by the by is not plenty with us.¹

The Auditors finally finished their work on Allen's accounts as Treasurer and on June 4, the *Vermont Gazette* published a statement by John Strong, Samuel Mattocks, the Treasurer-elect, and Roswell Hopkins, giving a *résumé* of the accounts in which they stated, we 'find he has credited the state in every particular agreeable to checks compared.' The Auditors' statement was supposed to cover Allen's term of office, 1778 to 1786, and showed that he had paid out during that period, figuring five dollars as a pound, approximately the following amounts:

In Continental money.....	\$986,720.00
In Lawful money.....	652,950.00
In Hard [Gold & Silver] money.....	68,045.00
	<hr/> \$1,707,715.00

—an average of about \$200,000 a year. Of this total only \$192,680 was from taxes paid in lawful money and \$37,055 in hard money, or a total of \$229,735. The balance was received from the sale of confiscated estates or from the sale of lands, the first through Allen's suggestion and the last mainly through his effort. He handled this sum in a small office in Sunderland not over fourteen by twenty feet, with no safe as far as the records show. The only mention in his bills of a safe was in his last year in office, when he thought one was necessary to protect his records from his political enemies. At the time of the Auditors' report the State still owed him in Continental money, \$34,555, and in lawful money, \$2435-\$36,990. This was his own money which he had used in State business; in addition, he had issued \$133,750 in State notes, of which there were about \$52,000 in circulation when this settlement was made.

On June 13, Lord Dorchester informed Lord Sydney of Levi Allen's request for a trade arrangement with Canada and sent him the written proposals; informing him at the same time that, after consulting the Chief Justice (William Smith, whose diary is quoted from in previous chapters), he had issued an order allowing a trade through Lake Champlain.² Sydney's

¹ *Allen Letters*, Vermont Historical Society.

² *Canadian Archives*, Q-28, pp. 4, 6.

reply, on September 14, was to the effect that: 'Considering the present situation of the state of Vermont, the forming any distinct and separate treaty with it at this moment must be entirely out of the question. . . . Mr. Allen's proposal has been under their Lordship's consideration.' ¹ Sydney approved of Dorchester's order and wrote, that His Majesty would leave the issuing of further orders to him and the Council of the Province.

Levi was persistent, and wrote Dorchester again on July 2, soliciting the privilege of furnishing masts for the British Navy. 'As large masts as ever have been cut in America, are now to be had on Lake Champlain, and can be transported to Quebec.' ² He quoted prices made by a 'contractor for the Royal Navy, in the year 1770, at Portsmouth, New Hampshire' and offered to furnish any quantity that may be wanted, for twenty per cent less than these prices: This letter was forwarded to London, and Lord Sydney replied, November 8: 'The proposal of Mr. Levi Allen for furnishing masts, yards, and bowsprits for the use of the navy . . . has been submitted to the consideration of the Lord's Commissioners of the Admiralty, . . . some engagements have already been entered into, for obtaining supplies of those articles from other quarters.' ³ Later Levi's experience in England on these matters caused Ira much concern.

The annual meeting of the Council and Assembly took place at Newbury, October 11. The same officers who had served during 1786 were again elected. Ira Allen was a member of the Assembly from Colchester and was placed on most of the important committees. He resigned again as Surveyor-General and insisted on his resignation being accepted. James Whitelaw, his first assistant, was appointed to succeed him. Although Allen had refused to accept a salary as Treasurer, the Assembly now voted to pay Samuel Mattocks ten pounds per month, in hard money, for his services for the past year, about six hundred dollars in gold. The Governor was voted one hundred and fifty pounds 'lawful money' for the present year. On October 26, an act was passed 'for the purpose of completing the transfer of the Treasury.' ⁴ Isaac Tichenor,

¹ *Canadian Archives*, Q-28, pp. 28-40.

² *Ibid.*, pp. 107-08.

³ *Ibid.*, pp. 143, 147.

⁴ *Vermont Laws*, 1787, p. 16.

Gideon Olin, and Gideon Brownson were appointed commissioners to make a final settlement and give receipts. The books they received were to be turned over to the present Treasurer and the receipts, to the Auditors. At the request of the Governor, Allen was allowed to bring in a bill dividing Addison County and out of it forming Chittenden County. It was passed by vote of yeas 42, nays 32. This vote determines somewhat the strength of the Governor in the Assembly. A great many acts were passed levying different tax rates on nearly all the lands in the State. Many of these were drafted by Allen, who was one of the largest landholders.

The House and Council had a serious disagreement over a charter for the town of Johnson. The Assembly seems to have claimed the exclusive right to grant lands and the Governor and Council denied it. The House passed a resolution directing the Secretary of State 'to countersign the charter of Johnson, altho it may not have the state seal prefixed to it.' The Council ordered the Secretary of the Council not to affix the seal. The Assembly's grant to Jonathan Hunt, Councillor, a township six miles square, was the initiation of legislative opposition to Governor Chittenden, which gathered strength in 1788, and resulted in his defeat in 1789. Ira Allen, Noah Smith, and Isaac Tichenor were this year appointed agents to Congress.

The Assembly adjourned October 27, as did the Council. The session had not been harmonious; a majority of the Assembly at times acted with the Governor, but several members of the Council were opposed to him. The day after adjournment, Jacob Bayley wrote to Governor Clinton, of New York, requesting pay for his 'sufferings in behalf of New York' and informed Clinton, 'Your land in Newbury is saft [safe], have secured Hilsborough [part of Danville], all others on the York Grant is gone or at least granted by this state.'² This last was granted to Bayley and associates October 31, 1786.

Levi was now a merchant in St. John's; he wrote Ira on November 22:

Yesterday returned from Quebec with 400 bu. salt. Shall come immediately to Onion river with 300 bu. salt and other goods. I give you joy on the completion of your dam [on Onion river where Winoo-

² *Clinton Papers*, No. 5909, New York State Library; Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 3, p. 137.

ski now is] . . . I asked him [Mr. Shepardson an engineer from Canada who went down to see it.] in a particular manner respecting dam building, he says you have got the right pitch and the dam will stand.¹

Levi wrote again, on December 1, that certain parties wanted more goods to enable them to go on with their contract, but he would not advance any more without security. The wife of one of the contractors had inherited in New Jersey two or three hundred pounds and Levi offered to go down for it if allowed the use of it until May.

I hear the hog plan has turned out but small and every other business will prove the same except particularly attended to. Shall confine myself to one business and do no more than I can see too myself . . . pot and pearl ashes is much better article to deal in than lumber. Compliments to J. Knickerbocher and tell him have not as yet purchased a stove for him. It is a cursed thing to be poor, the heart is willing but the purse is weak. Let me know whether you receive my letters.²

Ira evidently did not always reply to Levi's letters, which were numerous, and, in addition to reciting his perpetual troubles, paint a good picture of the times. Young Major Philip Skene met Levi in Quebec and wrote his father: 'He makes no secret of his embassy, which leaves me at liberty to mention it to you.' He 'is brother to the famous Colonel Ethan Allen.'³ Ira Allen had many anxieties in keeping his mills in operation and meeting his obligations. His sister-in-law, his brother Heber's wife, who had moved from Sunderland to keep house for him in Colchester, was taken ill and died in the early winter, leaving her daughters Sarah and Lucy, her son Joseph and her nine-year-old son Heman to Ira's care. This situation probably is accountable in large measure for his marriage two years later.

This year on September 17, the Constitution of the United States had been approved, just ten years after that of Vermont.

¹ *Stevens Papers*, Miscellaneous Collection, New York State Library.

² *Stevens Papers*, Package P, White-Hathaway, New York State Library.

³ *Canadian Archives*, Q-36-2, p. 481.

CHAPTER XVI

THE CANADA TRADE AND VERMONT POLITICS

1788

THE ratification of the United States Constitution an accomplished fact, the mental attitude of the people unconsciously changed on many points. Kentucky's application for admission into the Union was made despite the fact that a large number of her citizens favored coalition with Spain.¹ The Mississippi River, controlled by Spain, was the easy and natural outlet for Kentucky products. This situation was paralleled by that of a large part of Vermont which looked to the St. Lawrence River as a feasible outlet. Nathaniel Chipman's letter to Alexander Hamilton seems to have been the beginning of negotiations looking to the admission of Vermont into the Federal Union.

Overtures were made to Governor Chittenden by the holders of New York grants to recognize their patents in return for ceasing opposition.² The leading men of Vermont feared that, if Vermont was admitted without a settlement of the New York titles, the Federal Courts might uphold the validity of the New York grants, or such of them, at least, as did not conflict with the original grants made by the Governor of New Hampshire.

'Any owner of land in Vermont that does not appear by July 1, and eject the person, if any, in possession is debared from any action at law.' So wrote a settler in Shelburne April 17, to a friend in Canada and added, 'It is likely this pretended state will fall into New York.'³

Levi Allen, who had made another trip to Quebec with logs and lumber, returned to St. John's in June and wrote Ira:

The plan of trading at Quebec and making remittance there in lumber will never answer, the whole that deal in that way will fail; considering what a Country they have to collect in, the risques they run in transporting, and the sharpers at Q — after they arrive re-

¹ *Canadian Archives*, Q-41-1, p. 283.

² Vermont Historical Society Manuscripts.

³ *Vermont Letters*, New York Public Library.

duces the matter to demonstration; all which operates in favor of the grand plan. [Selling direct to the British government] I think myself well qualified in case the said plan takes place to make a general rule and stand firmly to it, for the consequence of giving credit will ruin the largest plan, — in a country like this where there is little or no dishonor in non performance of promises or contracts. If the large plan takes place shall not begrudge the time nor cost of the above visited experience, but otherwise all is lost, and I shall retire from the bussel of the world to the deserts of [St.] Albans, there with my Nancy, dog and gun be contented with the little simple nature requires and no longer grasp and reach beyond my strength for baubles on the other side of the Atlantic.¹

[Levi desired to eliminate, both in selling timber and buying goods, the many middle men, who still take so much of the profit. He evidently was successful in convincing Ira, for Ethan, Levi, and Ira Allen all went to Quebec early in July and had several conferences with Lord Dorchester.

Ira Allen, on June 21, had obtained two affidavits from settlers on his lands bordering Missisquoi Bay that the Indians had come there the previous October and April and threatened them, took their corn and burned their fences. On July 16, while in Quebec, he wrote Lord Dorchester enclosing the affidavits and giving him an account of a similar occurrence some years previous. Allen was told to write Colonel Campbell, in charge of Indians, which he did on August 7. Campbell called the Indians before him (Abenakis) and they admitted being on the lands, which they claimed, but denied any irregularities. Lord Dorchester, on October 11, transmitted a copy of this report to Ira Allen.

Ethan, on July 16, embodied his views in the following letter addressed to Lord Dorchester, Governor-General of Canada:

MY LORD,²

I have the honor of addressing Your Lordship on the subject of American Politicks, as it may respect the reciprocal interest of Great Britain, and the little rising state of Vermont.

Your Lordship is undoubtedly sensible of the jealousy of the United States over Vermont, since it is not, and will not be, confederated with them. They proceed so far as to threaten its subjugation, as soon as they have established their new proposed con-

¹ *Stevens Papers*, No. 4943, New York State Library; Wilbur Photostats, Library of Congress and University of Vermont.

² *Canadian Archives*, Q-36-2, p. 448; Wilbur Photostats, Library of Congress and University of Vermont.

stitution and made their government sufficiently energetic. Their arguments for so doing (in case of their ability,) appear to be too well founded, to be disputed in a political view. For, say they, Vermont is locally situated to the waters of Lake Champlain which communicate with those of Saint Lawrence, and lies contiguous to the province of Quebec, where they must be dependent for trade, business, and intercourse, which naturally incline them to the British interest.

They likewise frequently mention, that in the latter part of the late war there was no fighting between the King's Troops, and those of Vermont.

Besides these arguments of the United States, which are truly natural, the people of Vermont further argue that a confederation with those States would not only expose them to the displeasure of Great Britain and ruin their commerce, but involve them in debt, if not in insolvency, and in the broils of those states relative to their federal government, concerning which they are probably as much divided and subdivided, as can well be conceived.

The vast extent of this territory is the source of much of their confusion. They are spread over different climates, have different religions, prejudices, customs and interests.

Furthermore the licentious notions of liberty taught and imbibed in the course of the late revolution, operates strenuously against their uniting in any confederate government.

Nevertheless there are considerations in favor of the new Constitution's taking place, for some Government or other will be found to be necessary, and after much strife and confusion, (possibly with amendments), their federal system may be adopted.

Should this be the final event, yet there would be a large minority opposed to it, including many leading and influential men in the several states, as well whigs as tories, which cannot fail to make such premised government weak, if not able to prevent its taking place, and consequently make it difficult, precarious, and probably impossible, for the United States to subjugate Vermont, which will undoubtedly be attempted by them, should they suppose it at any time to come within the limit of their power, and not endanger their premised federal government. Vermont could on an emergency bring fifteen thousand able effective men into the field, who in point of prowess would probably more than equal a like number of the Troops of the United States, especially in defending themselves against the usurpation of those states on their own ground, where they are acquainted with every natural advantage. Besides the people of Vermont having originated from the contiguous United States, and many of their friends relations and connections still remaining in those states, the ties of consanguinity and interest would prevent the troops of those contiguous states operating in the field against Vermont, and incline them to take its part, who together with the antifederalists and Vermontese might form so strong a junction as to crush the premised federal government.

Vermont small as at first sight she may appear to be, has a heavy influence in the American politicks, and may turn the scale, and is well worth the attention of Great Britain. For besides her own natural population she has a constant immigration from the United States, and whether whig or tory it alters not the case, as they remove to Vermont to obtain a landed interest, and to rid themselves and their posterity from exorbitant taxation, they very cordially unite in the policy of the State in rejecting every idea of a confederation with the United States, for property, not liberty, is their main object.

Should an appeal to arms be the dernier resort, warlike stores could be procured, from the Province of Quebec, provided Government would not prohibit it, this would be our only resource.

Finally should Vermont be so happy as to obtain, or rather continue to obtain favour and friendship from the British Government, it would be very delicate to point out the mode of it.

Probably General Haldimand's Policy (Your Lordship's predecessor in command) would still be the best.

Matters were so contrived between the General and certain men of influence in Vermont, the last three years of the late war, that it answered all the purposes of an alliance of neutrality, and at the same time prevented the United States from taking any advantage of it. So in the present case a formal and public alliance, or that Vermont should at present accept of a Government under the Crown might occasion a war between France and the United States on the one part, and Great Britain including Vermont on the other, when on the Haldimand system it may be prevented, and a friendly intercourse and commerce, without any cost to the Crown, be continued, and at any future time such alterations of the policy may be made, as to suit future emergencies.

In the time of General Haldimand's command, could Great Britain have afforded Vermont protection, they would readily have yielded up their independency, and have become a province of Great Britain.

And should the United States attempt a conquest of them, they would, I presume, do the same, should the British policy harmonize with it. For the leading men in Vermont are not sentimentally attached to a republican form of government, yet from political principles are determined to maintain their present mode of it, till they can have a better, and expect to be able to do it, at least as long as the United States will be able to maintain theirs, or till they can on principles of mutual interest and advantage return to the British Government without war, or annoyance, from the United States.

These appear to me to be the outlines of the policy, which if adopted would be for the common interest of Great Britain, and the people of Vermont, which is humbly submitted to Your Lordship's consideration.

I should not have had the presumption to have wrote to one of the first Generals and Statesmen of Europe on these important matters,

had not a clear sense of the danger, with which Vermont is threatened, and in which my interest and preservation, and that of my friends is involved, urged me to it.

Ethan's letter was presumably the joint product of the three brothers, but no such daring statement as, 'Could Great Britain have afforded Vermont protection, they would readily have yielded up their independence,' would have been signed by Ira Allen. Ethan and Levi enjoyed taking risks, and, if Levi could make the proper connections, it would mean prosperity for all of the Allens. The stake was a large one.

This letter was forwarded to Lord Sydney on the day it was dated, enclosed in one from Dorchester, in which he wrote, 'I can easily conceive the alarm at the probable adoption of the proposed federal constitution to be very serious to that Country [Vermont].'¹ But trade and not politics took the Allens to Quebec and so they made a proposition to furnish the British Navy with masts and timber making delivery in England. Levi was to go over to close the contract.² The Allen proposition was forwarded to England July 27, in a letter stating that one or two of them were going to England, but 'are apprehensive lest the term fixed for receiving proposals at the Navy office should expire before their arrival. . . . They are reckoned well qualified to execute a business of this nature.'² Levi was supplied with a letter of introduction to Lord Sydney's secretary, Evan Nepeau.³

Lord Sydney's idea of the Allen proposal was expressed to Dorchester thus:

The overtures from Vermont cannot become a subject of deliberation until the ministers are collected, at present they are dispersed in different parts of the country, with a view to acquire health and strength, to go through the next campaign; and upon a question of such magnitude, all their knowledge and information is necessary. I find that one of the Allens is shortly to be here and I hope he will arrive before the close of the Contract with the Navy Board.

He would, he said, endeavor to have the time for securing bids extended.⁴ Dorchester replied by sending what he termed 'Opinions and observations of different persons, respecting the United States':

¹ *Canadian Archives*, Q-36-2, p. 447.

² *Ibid.*, p. 464.

³ *Ibid.*, Q-40, p. 209.

⁴ *Ibid.*, Q-38, pp. 1-5.

The change now taking place in the United States, has not escaped the attention of the inhabitants of Vermont, they are fully sensible, that, if a strong national government shall be settled, it may produce claims upon them for the past and unfavorable offers for the future, but with a composure, which strongly marks the character of this people, they seem determined to remain in their present unconnected situation. If hard pressed, they will defend their country by arms, every man will fight upon this principle, and they entertain high notions of their own strength in a defensive war.¹

In August, Ira was back in Colchester, and on the 16th left for Rutland to meet the Governor and Council there, to settle his accounts as Surveyor-General. Before going he wrote to Levi not to delay his departure for England, but the end of September found Levi still at St. John's. Ira's accounts, presented to the Council, disclosed that he had paid out £2927-19-3 for surveying and £644-12-5 for cutting roads. The Council allowed him to collect from the towns only \$2200 until a final settlement could be made. The Council assessed the towns, but Allen had to collect it, and the Assembly at times voted to release some of the towns from paying the assessments made by the Council.

At the annual meeting of the Council and Assembly, held at Manchester October 9, the previous officers were reelected; Governor Chittenden by almost a unanimous vote. He was escorted to Manchester by three companies of cavalry and, after his election was announced, a salute of fourteen guns was fired. (Vermont people in all their celebrations fired fourteen guns as a national salute, as they would have done had they been one of the United States.) Allen was a member of the Assembly from Colchester. On the first day of the session the House refused, by a vote of sixty-four to twenty-four, to seat Thomas Butterfield as a representative from Highgate. Allen owned most of Highgate and Butterfield was his man. Notwithstanding this apparent rebuff, Allen was one of the committee to prepare the order of business and was on most of the important committees during the session. When all the members were present, there were fifty-four from west of the range and forty-four from east of the range along the Connecticut River. The two northwestern counties in which Allen's interests were largely concentrated did not have a representation equal to Bennington and Rutland Counties, but Allen

¹ *Canadian Archives*, p. 146.

managed to put through an act dividing the 'Two Heroes' into North and South Hero, thus adding one more town to his territory with a corresponding gain in the Assembly. Another test of strength came in the middle of October when an attempt was made to extend the boundary line of Addison County to Onion River. Here Allen won, the vote against the extension being forty-three to forty-one.

The act passed October 26, 1787, for completing the transfer of the Treasury was by this Assembly, on October 21, repealed. It did not seem to be broad enough for Tichenor's purposes, and carried no penalty for non-performance of duty by the Treasurer. On October 24, another act was passed, appointing the former commissioners. They were

authorized to demand and receive of Ira Allen, Esq., late Treasurer, all such sum or sums of paper money, or bills, that was reported by the Auditors, in April 1787, to be in his hands . . . which said sums of money the said Ira Allen is directed to deliver said Commissioners; whose duty it shall be, to burn the same. . . . It is hereby further enacted by the authority aforesaid: That the first Tuesday of January next, at the new dwellinghouse of Captain Lemuel Bradley, in Sunderland, shall be the time and place. . . . That in case the said Ira Allen shall not appear at the time and place mentioned in this act . . . or shall refuse to transfer or deliver . . . the said Ira Allen shall be liable to be prosecuted by the said Commissioners . . . shall pay a fine of one hundred pounds, the one half of which will belong to the prosecutors . . . and for every month's neglect . . . the sum of ten pounds.²

There was not a word authorizing the commissioners to approve the payment to Allen of any sum due him. It seemed that the former agreement with the Auditors provided that they were to furnish Allen with a copy of his books. Before the above bill was passed, an amendment was offered that, if the Auditors furnished such copy to Allen, it must be at his expense. Allen demanded the yeas and nays and the amendment carried by a vote of fifty-nine to eight. Allen did not vote.

On October 22, Ira Allen, Moses Robinson, and Jonathan Arnold were elected agents to go to Congress. They were 'to use all due diligence to remove every obstacle to the accession of this state to the Federal Government.' Isaac Tichenor was elected Auditor of Public Accounts. Jonathan Hunt, being

²*Vermont Laws*, 1788, p. 23.

a member of the Council, had evidently learned, during the October session of 1787, of the charter to Woodbridge having been given secretly to Allen on October 8, prior to the regular meeting of the Council. As told in the last chapter, Hunt had induced the 1787 Assembly to grant him a township which he intended should cover and he supposed did cover the land under the Woodbridge charter. This grant had been made to him notwithstanding a vigorous protest by Allen. Hunt did not take his seat in the present Council until October 16 and on the 23d he began active warfare against Governor Chittenden and Ira Allen, in the form of

a petition from Jonathan Hunt Esq. stating, that in October last he obtained from the General Assembly, a grant of a township of land — toward the charter-fees of which he has advanced about one hundred and seventy pounds in hard money, and that he has nearly money sufficient with him for completing the payment of said fees. — That he has been, since said grant issued, informed that the same land has been chartered to Ira Allen, Esq. and praying that enquiry may be made, and if said charter has been unconstitutionally issued, that the Legislature, by an act of their's, would set the same aside, and prevent the expense of lawsuits to determine the validity of said several grants; and that, if they see proper, that they would lessen the charter-fees, as there proves to be a large pond and other waste ground in said town, not expected when the fees were assessed.

This evidently was intended to be a surprise attack just before the Assembly was to adjourn. A committee of three, Stephen R. Bradley being chairman, was appointed to investigate and report. They reported the same afternoon that they had inquired of the Governor and,

That his Excellency gave for answer, that he did, without advice of Council, in October [8] 1786 . . . in pursuance of a flying grant that had been made to one Woodbridge, which had been forfeited, make out and sign, in a private manner, to Ira Allen, Esq. a charter, which, for ought he knows, covers some of the premises. That he did at that time, take a large bond of said Allen, to indemnify him. And the reason which he principally gave for it was, the fear that the State would wrong said Allen in his capacity as Surveyor-General.

That when the *Question* was asked his Excellency whether said charter was recorded or not, he answered, he did not know. [Allen had recorded it in the Surveyor-General's record and he delivered it to Joseph Fay, Secretary of the Council, for record on October 23.¹] That in the opinion of your Committee, his Excellency has violated

* Vermont, Secretary of State Office.

the trust reposed in him by the Constitution, to keep the *Public Seal* of this State *sacred*: and that he has Converted it to *private, sinister views*: and your Committee submit to the House, what order should be taken — and that in the opinion of your Committee, said Charter was fraudulent, and ought to be declared void by act of Legislature.¹

The committee had refused to allow Allen to appear before them, and when their report was read the Governor was requested to appear before the House. 'After a long and anxious hearing of his Excellency, and the various arguments of his Excellency and the several members who offered their sentiments on the subject,' the report was accepted and a bill ordered. It was then 'Resolved, That the vote passed yesterday for adjourning this evening, without day, be, and the same hereby is reconsidered.' On the following day Hunt's charter fees were changed, from ten pounds for each three hundred and thirty acres to nine pounds. Hunt had shrewdly intimated that he would pay the fees in hard money and the Assembly wanted to receive their pay for services in hard money. After Hunt's fees had been reduced, he fooled the Assembly to some extent by having Joseph Fay pray that ten rights in Hunt's grant be received in 'hard money orders,' to which the House agreed. After Hunt's so-called *exposé* of Allen, he was excused as agent to Congress and Tichenor was elected in his place. On Saturday, October 25, the last day of the session, the following bill was passed by the House:

Whereas his Excellency Thomas Chittenden, Esq. Governor of the State of Vermont, by the persuasion of Ira Allen, Esq. without the authority of law, without the knowledge of the House of Representatives, and *even* without the advice of his Council, in a private manner, did presume to sign his name, as Governor, and affix the great seal of the State of Vermont, to a certain paper, purporting to be a charter, and bearing date the twenty sixth day of October, Anno Domini 1781 — . . . and further purporting to incorporate a Certain tract of land, with all the privileges and immunities of any other town in this State, by the name of Woodbridge, bounding it as follows. . . . will contain twenty three thousand and forty acres . . . and whereas, after the signing and sealing as aforesaid . . . his Excellency was pleased, in a private manner, to deliver said fraudulent instrument . . . without the same being registered, or any minute thereof being kept in any proper recording office in this State whatsoever. And whereas the said Ira Allen . . . did keep the same secret,

¹ Vermont, *Assembly Journal; Records of the Governor and Council* (Montpelier, 1873), vol. 3, p. 511.

unknown to the House of Representatives, or the authority of the State, from the date of said instrument, until the present session, and is now seeking to have the same registered and recorded, with a manifest intent to defeat and make void *grants* that have been advisedly made by act of Legislature.

Which Great Evil To Prevent

It is hereby enacted . . . is declared to be null and void.

The act further recited that any State officer who recorded the instrument described 'shall forfeit and pay to the treasury of the State, the sum of *two thousand pounds* and be forever after rendered incapable of holding any office civil or military, in this State.' A very drastic measure, but it was passed and was sent to the Council. It was returned almost immediately with the following amendment:

The Council propose as an amendment to this bill, and in lieu thereof, that the Legislature take the cession of the within mentioned paper or charter, from the within mentioned Col. Ira Allen: And that the said Ira Allen, give and enter into bonds in the sum of Five Thousand Pounds, to the Treasurer of this State, to erase the record of said paper or charter, which has been entered in the Surveyor-General's office previous to any copy issuing.

Which being read after a long hearing of his Excellency and sundry Members of the Council the said proposal was accepted, and Resolved, To reconsider the bill, with directions that the same be entered on the Journals.

This last disclosed that the entire matter was a political maneuver. Allen undoubtedly was pleased to give up the charter if the State would pay him some £884 for which he had taken the township. At a later period the whole matter was shown in its true light and Allen was fully exonerated.

Leaving the report and the proceedings entered on the record indicates the animus, distrust, and dissatisfaction aroused against Allen in the Assembly. Many were suspicious of him because he had held many offices and because his accounts had not been finally settled. The entire proceeding reflects little credit on Stephen R. Bradley. It displayed Thomas Chittenden's loyalty to Allen, a loyalty that rang through Chittenden's sharp retort to those members of the Council and Assembly who criticized the Governor for defending Allen: '*Why shouldn't I? There would have been no state of Vermont but for Ira Allen.*'²

² Letter from L. E. Chittenden [n.d.] to the *Burlington Free Press*, now in University of Vermont Library.

The land committee, who had reviewed all the grants made by Vermont, gave a list of those they considered legal. Among them was the grant of Irasburg to Ira Allen and associates; one to Luke Knowlton of ten thousand acres and one of sixty-nine thousand acres to John Kelly, a New York lawyer, who was supposed to be acting for John Jay, and many others who had opposed the independence of Vermont. The Council had authorized Allen to collect taxes to pay his bills as Surveyor-General. He advertised in the *Gazette* December 1, giving the names and address of those he had appointed to collect these taxes in the several towns. An anonymous article against him for this was published in the *Gazette* of December 22. It was the first road fight in Vermont and has been going on ever since. It was contended that all the towns in the State should pay for the roads and not the towns in which they were built, as they were for the benefit of all. It concluded with:

It is true Mr. Allen has been Surveyor General of this State, he has likewise been a Councillor, and has held several important posts of office, but by virtue of a former office is a man empowered to advertise and sell what land he pleases. . . . To conclude have we not reason to fear, does it not appear probable, that the man who now advertises, has heretofore, in this very way, acquired his boundless, his immense landed property.

Throughout this year of political embroilment Allen's mills and forges were kept steadily at work furnishing lumber and ironwork to new settlers for the many houses that were erecting; yet in this business field there were irritating difficulties; on account of his supposed wealth, people did not pay Allen promptly, but his creditors, for the same reason, pressed him for payment. Hard money was scarce and the scarcity pressed more heavily upon Allen than on most, for he was obliged to raise, for his Burlington tax assessment for the year, nearly sixty per cent of the levy for the entire town.

CHAPTER XVII

THE TREASURER'S SETTLEMENT — FAMINE — HIS MARRIAGE — THE UNIVERSITY

1789

THE citizens of the Republic of Vermont did not enjoy the privilege of voting for George Washington for President of the United States at the first election held January 7. The Federal Constitution became effective when President Washington was inaugurated, April 30.

Allen rode to Sunderland early in January to make his final settlement as former Treasurer, which was accomplished on January 9. 'Tichenor had the mortification to sign a settlement of accounts' certifying that they had been properly kept and 'that there was a sum of money due Mr. Allen from the State.' Long afterwards, Allen wrote of this settlement:

This shows what unreasonable advantages men will take, that are fond of popularity and power to injure the character of others that may be in their way, but how they manage their oaths when they are solemnly sworn to do equal justice without favour or partiality, is best known to his Excellency Isaac Tichenor, Esq. [Tichenor was Governor at this time.]

He also wrote:

When Mr. Allen was elected into a number of offices, . . . at a very early period in life for such important trusts and negociation, amidst his perserving zeal to carry into effect the independence of Vermont, he considered that in case of success, when victories should restore the country to repose, that envy would rise against him, that ambitious men fond of power and offices would be against him, that the first probable attack would be the money business that he had to manage. And the more so as he had regulations to make in all matters of money, and had never been in a Treasurers office in his life, and from the pressure of the times and popular movements, was called on to receive money in different parts of the state as he travelled: in this way he was often Called to pay money when from the office: to avoid any Mistake he established a rule when abroad, that he rigidly observed; he made a book that he carried in his saddle bags; when he received Money he counted it, made an entry in his book, put the money in his saddlebags, then from his entry into

the book gave his receipts; he proceeded in like manner to make entries in case of paying money, and when he returned to the office, he examined his money accounts, and see again that all was right; then made the entries in the treasurers books, by this he knew, that his adversaries could not produce any thing against him, but they not knowing that he had adopted or strictly adhered to this method of keeping accounts, supposed that through the multiplicity of business, that he had made some mistakes, mislaid or lost papers, by which there might be some errors in his books which they no doubt meant to have magnified into Wilful errors, and embezzlement of public money, but had the bitter mortification to be disappointed after several years industrious, but fruitless enquiries.¹

The *Vermont Gazette* (Bennington) of February 9 published the proceedings of the committee who settled Allen's Treasury accounts. It stated that there had been 'received from said Allen £14,277-3-11 in State notes including interest and £4345-5-6 in hard money.' The committee also acknowledged the receipt of 'all the money, books and papers that have been in the late Treasurers office except such as have been lodged with the present Treasurer and Auditors of Account.' This was a final settlement, but Tichenor refused so to consider it, as, in furthering his political aspirations, he did not intend to relinquish so potent a weapon as insinuation of embezzlement.

Allen did not allow this persecution to interfere with his efforts to expand his private business. In the *Vermont Journal* of January 19 appears his advertisement:

Will be wanted on April 1, 40 men to raft logs Onion River to Quebec, men to clear lands etc. Has three flows for Iron Manufactoryes, at Onion River lower falls, falls of the river Saxton in Shelbourne, lower falls of the river Mississiquoi; Will lease either of the three places for 7 years free from rent at the end of which will pay a fair price for the forge etc.

These three water-powers are very valuable to-day and have produced millions of dollars worth of power, although the flowage is much reduced.

Allen went to Bennington after his settlement with the Auditors and there met John Kelly, of New York. On his departure for home he carried the following, addressed to General Ethan Allen, Burlington:

¹ *Allen's Statements, Olive Branch* (Philadelphia, 1807), p. 6.

BENNINGTON 15th January 1789

DEAR SIR

I have lately addressed you by our mutual friend Mr. Hitchcock requesting that yourself and Mrs Allen would immediately send to Mr. and Mrs Wall for a power of Attorney to enable you to Transact the affairs respecting Brushes landed property, otherwise the whole of it in this State would be irrevocably lost, permit me again to urge this affair upon you, as pains has already been taken by several persons to injure that property by Taxes and otherwise, which is hard, as it is very valuable: but it requires due attention. —

I propose to be at Rutland Court in March if I can, where I would be happy to see you, as your brother Colonel Ira Allen has hither to declined to settle with and pay me the money I was sued for at New York on his account and yours alledging that he would wish you to be present at the Settlements; you know as well as I do that this affair ought to be settled by yourself and Brother upon the principles of Justice & honour as I suffered exceeding by you both and cannot wait much longer for my Money. — Please to present my respectful compliments to Mrs Allen and believe me to be with respect Dear Sir

Yours most obedient
and most

humble Servant

JOHN KELLY ¹

P.S. Your brother has purchased the land in Colchester and Essex from me which you conveyed to me, but has not yet settled the money I paid for him and you at New York as within mentioned, you should press him to settle the same that you may get up your Bonds to me and his letter as Security for the same this I must again insist on your doing without delay

Ira did not arrive in Colchester until the evening of February 11. Ethan had been to a party at Ebenezer Allen's house on one of the Hero Islands in Lake Champlain. His colored man had taken him over the ice in a sled with a hay rack on it to bring home a load of hay. They returned late and Ethan had a stroke, dying either on the hay or soon after reaching home. Ira wrote Levi, who was then in London:

COLCHESTER June 5, 1789

DEAR BROTHER. On the evening of the 11th [February 11] arrived at this place after parting . . . when I was surprised with the solemn news [of the?] death of Genl. Allen who departed this — [life that?] day in a fit of apoplexy. ²

¹ *Stevens Papers*, New York State Library; Wilbur Photostats, Library of Congress and University of Vermont.

² This letter is in the New York State Library, *Stevens Papers*, and was so badly burned in the great fire which destroyed most of the library in 1911, that the blank spaces cannot be read. University of Vermont and Library of Congress have photostats.

It is supposed that Ethan died after midnight of the 11th, and therefore on February 12. If Ethan had arrived home any time in the night, undoubtedly a messenger would have been sent to Ira's house, which was not over a mile across the Onion River. The only other letter of Ira located, in which he mentioned Ethan's death, was one written a month later: 'He was well off and leaves his family in good circumstances'; and another dated December 18: 'General Allen departed this life on the 16th of February.'¹ (This was the date of his burial.) Neither Ira's nor Levi's letters contain any expressions of sorrow; but letters of this period seldom did. Dr. Stiles, President of Yale College, wrote in his diary on February 12, 'Ethan Allen died this day and went to Hell.' The good doctor was positive in his judgments, even with his friends.

On February 13, John Jay and others petitioned the New York Legislature to relinquish all claims to Vermont,² and on the 27th, the New York Assembly approved by a vote of forty to eleven;³ but the petition was rejected in the Senate.

The Governor and Council held a special meeting at Fairhaven March 5. The Governor told of the distressed condition of the people for want of grain and proposed an embargo on the exportation of wheat or corn. This was done and sheriffs and others were authorized to stop and search all conveyances. The Council passed a resolution making April 29 'a day of public Humiliation, Fasting and prayer.'⁴ 'Humiliation' and 'Fasting' in capital letters, but 'prayer' not so honored. However, it was a serious time, for there was a real famine in the State, especially in the northern part. In the same number of the *Gazette*, March 9, that contained the proclamation was this statement:

We are informed that his Excellency the Governor of this state has now on hand near seven hundred bushels of grain, for which he has refused the hard Cash, deeming it his duty, in the present scarcity, to keep it by him, for the use of the people of this government.

In view of what happened to Chittenden at the October session, this article may have been sarcastic political propaganda.

¹ *Stevens Papers*, New York State Library.

² *Clinton Papers*, New York State Library, and in Vermont Historical Society, *Collections*, vol. 2, p. 480.

³ New York Assembly, *Journal*, February 27, 1789.

⁴ Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 3, p. 183.

An interesting description of Governor Chittenden and the condition of the people in Vermont in the spring of 1789 is given by a keen and intelligent observer. Mr. George Bird Grennell, of New York, found among his papers the diary of one of his ancestors, the Reverend Nathan Perkins, of Hartford, Connecticut, describing a trip he made through Vermont from April 27 to June 12, 1789. Had this not been found, we should know little of what the people suffered in this famine year. He writes of the poor and scant food, after he reached Bennington; it got worse, as he traveled north; roads so muddy he could hardly get through on horseback. He arrived at Governor Chittenden's house at Williston, May 20;

A low poor house — a plain family — low, vulgar man, clownish, excessively parsimonious, made me welcome, — hard fare, a very great farm — 1000 acres, — hundred acres of wheat on the Onion river — 200 acres of extraordinary interval land. A shrewd cunning man — skilled in human nature & in Agriculture — understands extremely well the mysteries of Vermont, apparently and professedly serious.

Mrs. Chittenden was sick with 'St. Anthony's fire' and he helped the sixteen-year-old daughter nurse her.

They seem to love me as a brother and the Governor as a son. [Perkins was forty years of age.] I struck them upon the right key — Queer is human nature and has a blind side.

He didn't know it possibly, but Chittenden was blind in one of his eyes. 'His Excellency picked me out to understand human nature, at first sight.' On his departure the Governor went as far as Jericho with him and 'bid me farewell & shook hands with me & left a dollar in my hand.'

Visited about 50 towns . . . was almost starved because I could not eat the coarse fare provided for me — no candles pine splinters used in lieu of them — bed poor and full of flees. [After leaving Burlington for Shelburne he got lost.] No house for 4 Miles . . . My horse nearly gave out, excessively worried with the bad traveling. O how anxious was I! I expected every step to be killed — I was hungry, dry, . . . night come on — I could travel no farther — I found a little log hut & put up there. Could get no supper — My horse no feed — Slept on a chaff-bed without Covering — a man, his wife & 3 Children all in the same nasty stinking room. . . . People Troubled with the *fever* and *ague*. . . . About one quarter of the inhabitants & almost all the men of learning diests in the State. . . . Went out in a pleasure

boat on the lake . . . a raft of lumber went off to Canada — w'h covered an acre of water & had two little huts on it. [Allen's raft]. The rafting business unprofitable for the State and for individuals that undertake it . . . Rode . . . to Mr. Roswell Hopkins in New Haven the Secretary of the state — a modest, diffident & Sensible man — Lodged with him — A wretched log house — Slept in the midst of the family . . . The seasons have been for two years back very unfavorable. A famine is now felt in this land. I have heard — I have read of famines, but never saw one before, or was in the Midst of one. The year 1789 will be remembered by Vermont as a day of Calamity and famine — *dearness of truck & want of bread in all their dwellings*. . . . Several women I saw had lived four or five days without any food and had eight or ten children starving around them.¹

In Ira's letter to Levi of June 5, he wrote:

The great scarcity of provisions renders it difficult to do much business. Several rafts have omitted going to Quebec on that account. Wheat is much hurt with the winter and a cold backward spring will render provisions scarce another year; these matters will be an embarrassment to making remittances.

Allen had leased some of his mills, but he was obliged to furnish the men with all necessities and many of the farmers depended on him for goods and seed. He was one of few men in the State at this time who had credit. Stephen Ashley wrote him from Troy, May 8: 'I shall send by the 20th of this instant 20 barrels of Pork and flower, should have sent it on sooner if the roads had been pasable. I expect to send more as soon as grass will answer for [feed for] teams.'² He wrote that he must have cash, as he had to pay cash. This was a journey of one hundred and fifty miles. During this summer Allen was sending rafts to Quebec. Provisions gave out on some of the rafts and the men abandoned them. Stevens, who was in charge, was taken ill,³ which complicated matters. These rafts were Allen's entire output since October, 1788, and much depended on their advantageous sale.

Allen wrote to Young & Cull, who had succeeded Fraser & Young in Quebec, an urgent letter informing them of his activities; that he had leased some of his mills to parties who had agreed to run them day and night. One mill at Shelburne

¹ *A Narrative of a Tour* (Elm Tree Press, Woodstock, Vermont, 1920).

² *Stevens Papers*, New York State Library; Wilbur Photostats, Library of Congress and University of Vermont.

³ *Ibid.*

would saw boards thirty-six feet long, which gives an idea of his fine timber. He wrote that he must have goods to be able to carry on his business and hoped the lumber that he had sent would more than pay all past bills. He offered to sell to the Canadian firm a township in Vermont at a low price, which would more than pay all of his and Levi's debts and he would continue to ship lumber and take his pay in goods. Stevens delivered this letter and also one to a Mr. Flyn, evidently a friend of Allen's, who was in their employ. Flyn replied on June 23, informing him that Cull had no goods and that Young was not extending credit to any one.

They have such an opinion of the laws in our [Vermont] Government that landed estate is not considered of much value; therefore you have little to expect from that string. Mr. Young will be in Vermont in July . . . then will be the better time to make the attack in person than through any instrument you have here. . . . Your family bill [goods for his family] you say must be procured. I at present don't know how, but will give him [Stevens] the best aid I can. . . . Your boards are not of as good quality as I could wish.¹

Stevens's letter from Quebec, of July 11, was still more discouraging:

The measurement of the boards is almost completed. . . . Young & Cull refuse giving any goods on credit to any person. I have urged the matter as far as I could. . . . How the boards will turn out I am not able to let you know for certain but am certain there will be a great loss in those that lay in the river over the winter which I suppose was owing to the frost splitting them.²

Those in charge of some of the rafts sold lumber to buy food and other expenses. Stevens wrote that, if Allen had any friends in Montreal and desired him, he would endeavor to buy some goods there. Levi was right in advising his brother that it was unprofitable to ship lumber to a market where the buyers made the price. Lumber was all Ira had to sell except land, and that was not salable at present. The loss he sustained at this time was the beginning of his financial troubles. About the time he received Stevens's letter, he received one from a French house in Quebec stating that they had drawn

¹ *Stevens Papers*, New York State Library; Wilbur Photostats, Library of Congress and University of Vermont.

² *Ibid.*

on him for £687-4-0, 'looking upon you as a gentleman that can easily answer so small a sum.'¹ He was unable to pay this draft and this firm later caused him serious trouble. Boards delivered at St. John's (on the Richelieu between Lake Champlain and the St. Lawrence River) were worth but six dollars per thousand feet.²

Conditions in Vermont and the scarcity of money at this time are rather well portrayed in the following note to Allen:

BENNINGTON *June 16, 1789*

We have received an advertisement for the sale of lands in Burlington from Esq. Hitchcock [who had just married Lucy Allen the oldest daughter of Ethan by his first wife] with directions to insert it [in *Gazette*] and send it over the mountain [to *Journal in Windsor*] on your account, which we shall do this week. We have two rights of land sold by Esq. [Noah] Chittenden [Sheriff] for your taxes, and wish you to be so good as give an order on him for six dollars for the purpose of redeeming them, which shall answer towards the inserting advertisements and at the same time oblige your friends. We would just mention that it will be considerable damage to us if you should not do it, but do not hessitate [*sic*] that you will.

Your friends &c

HASWELL & RUSSELL³

Allen was receiving letters from friends in Connecticut regarding their lands in Vermont, with requests that he represent them in the suits that were pending in the courts. An especially annoying case resulted from having gone on the bond of a Major Beach, who had sold to one Elias Buel from Coventry, Connecticut. Buel brought his family to Rutland in July and wrote Allen that Beach refused him admittance and his goods were in the street. 'Only your presence here can settle the matter.' The Chipmans were the lawyers against Allen, but the matter was submitted to arbitrators.⁴ Then Buel brought suit for two thousand pounds lawful money, and three hundred pounds damages. Allen was served October 28, when attending the Legislature. At the March, 1790, term of court in Rutland, Buel obtained a judgment against Allen, which Allen's attorney, Samuel Hitchcock, appealed to the Supreme Court.⁵

¹ *Stevens Papers*, New York State Library; Wilbur Photostats, Library of Congress and University of Vermont.

² *Ibid.*

³ *Ibid.*

⁴ *Ibid.*

⁵ *Ibid.*

Levi, now in London, had left his business at St. John's with his nephew, Joseph Allen, who did not manage it well. Debts accumulated and Ira was requested to liquidate them. Levi had sailed from Boston in January on the brig Mary Clemont. On May 2,¹ from London, he wrote: 'I am unfortunate indeed.' His ship had sprung a leak twice and he was obliged to land in a small boat at Cork and make his way as best he could to London, where he arrived April 23. The year's contracts for masts and other materials for the British Navy had been closed on April 8. He cursed his misfortune in not having a small amount of cash which would have enabled him to have sailed earlier and 'now those d——d Scotch rascals have taken the contract' away from him. However, in November he wrote, 'the misfortune is much less lamented . . . it appears now a very lucky circumstance.' The Scotchmen's first shipload of masts were all condemned but five. Levi's plan was to have a navy inspector inspect his masts before they left America. He wrote again May 24:

No contract is ever obtained here without able friends and not only so but they must have [an] interest in the business. A member of Parliament must be concerned in the matter, the Prime Minister for his part secures the members votes, the member of Parliament must get something handsome to purchase votes on his election, keeping open house &c.²

Levi was learning; he and Ira believed that such tall, straight pine masts as were on Ira's land would be readily salable to the British Navy, and this they hoped would be a way out of their financial difficulties. Levi wrote many letters requesting funds. These are amusing in their humor. One of them seriously states, however, that 'Fire arms and amunition can be had.' He also requested to have a new commission as agent of Vermont to make a commercial treaty with England; his old commission named him as agent to Quebec.

On July 6, the New York Assembly appointed commissioners to negotiate with Vermont for a full and complete settlement of their differences, and on July 16, the commissioners notified Governor Chittenden of their readiness to negotiate. This situation was brought about by the Federal-

¹ *Stevens Papers*, New York State Library, Wilbur Photostats, University of Vermont.

² *Ibid.*

ists for the sole purpose of increasing the Northern vote in Congress.

Stephen Keyes and Jabez G. Fitch, at that time friends of Allen, on July 27 petitioned Lord Dorchester to allow pig and bar iron to be shipped into Quebec on the rafts going there, alleging that the logs and lumber were not sufficient to pay for the goods purchased.¹

John Kelly, the New York lawyer, had paid a claim against Allen in New York, and on August 2 wrote him to pay taxes in Vermont on Kelly's lands, adding that he should expect all the money due him from Allen in October.²

The opposition party in Vermont were still using every effort to discredit Chittenden and Allen. The latter did not wish public office, but made continual use of his great influence among the early settlers to support Governor Chittenden. The Woodbridge charter affair was being used to defeat Chittenden and the following is a sample of the propaganda in the struggle:

Vermont Journal, Aug. 19, 1789

MR. SPOONER:

I have heard much said lately against the old Governor; but for my part I intend to vote for him again. — They have made a great noise about his giving a charter of some land they say he had no business to — And I know the General Assembly took the matter up — But I don't see why the Governor hadn't a right to grant what land he had a mind to — Beside, I don't suppose he ever thought the matter would be drawn till after he was dead long enuff, and then what hurt could it do him. — And he took a bond to make himself whole if ever he should be found out; so I don't see but he acted very carefully. — It is true that he took the bond to himself and not to the Treasurer of the State — and if the State never new that Col. Allen had paid no granting fees, what would they be the poorer, and one township is but a little for the State to loose, and then, as the Governor said, he didn't know but that he should be put out, and if he was, he could never sign the charter if he didn't do it then — And there again, I don't believe there is another man in the State would serve so cheap as the Governor would, for I don't think he has come to his lowest price yet — he saves the State a great deal every year — he does not treat people who come to wait on him a high days as a great many would do — And when he does treat them,

¹ *Canadian Archives*, Q-45-1, p. 22.

² *Stevens Papers*, New York State Library; Wilbur Photostats, Library of Congress and University of Vermont.

he byes what they call Newingland Rum, which you know is a great deal cheaper.— And so Mr. Printer, I am determined to vote for him again.

A Plain Man.

On August 24, the *Gazette* (Bennington) published an article dated Colchester, July 21,¹ signed by Ira Allen, explaining his obligation to accept the township of Woodbridge after being authorized so to do by the Governor and Council. His statement contained several certificates, one that, by order of the Council, Joseph Fay, Secretary, had been directed in 1782–83 not to record any more charters on account of town lines not being established. Whitelaw and other surveyors testified that Allen had sold them lands to pay them for surveying.

That the completing the survey of the town lines, at an early period as possible, was necessary and political, will appear from a moments reflection. . . . Surveying the New Hampshire and Vermont grants in the northern part of the state defeated the settlements there making by the New York claimants. . . . The laws of the state do not allow me any thing for all my trouble in collecting the tax . . . to the amount of about four thousand pounds . . . no interest has been allowed me on moneys advanced as early as 1783 or since.

Allen had handled his office as Surveyor-General in a far different manner than, it was claimed, Governor Wentworth, of New Hampshire, had done. Instead of enriching him, Allen's term of office had left him out of pocket.

Early in September, Allen went to Hartland, and on or about September 13, married the daughter of General Roger Enos. She was named after her mother, Jerusha, and was called Jerusha Enos, Junior. As a wedding present, he gave her the town of Irasburgh, containing twenty-three thousand acres, which made her and their children wealthy in later years. To Levi, December 18, he wrote: 'I have married my favorite Miss Enos and brought her home.'²

The Council and Assembly convened at Westminster on October 8. Allen was again a representative from Colchester. When the votes for State officers were counted, it was found, for the first time in Vermont history, that there was no choice

¹ *Stevens Papers*, New York State Library; Wilbur Photostats, Library of Congress and University of Vermont.

² *Ibid.*

for Governor. There is no official record of the vote, but the *Vermont Gazette*, on November 2, published the vote in detail. There were 2865 votes cast. It therefore took 1433 to have a majority over all, which the law required. Thomas Chittenden received 1263, Moses Robinson 746, Samuel Safford 478, Joseph Marsh 94, Ebenezer Marvin 87, Stephen R. Bradley 76, Isaac Tichenor 35, and there was a number of scattering votes. As Chittenden was defeated by only one hundred and seventy votes, his election should have been insured when it devolved on the Council and Assembly to elect; but the opposition was strong enough among the members of the Assembly to elect Moses Robinson. He evidently had no thought of being elected and was at home in Bennington. A messenger was sent to notify him and, when he approached Westminster, October 13, a committee from the house, one of whom was Allen, with a company of militia escorted him into town.

A committee of five was appointed to prepare an address of thanks to the late Governor. Allen was one of the committee. They brought in an address the same day, 'which being read' was recommitted. The next day another address by the committee was read and, not being satisfactory, was ordered to 'lie on the Table.' A week later the address then presented was read, and by a vote of seventy-six to twelve, out of a total number of one hundred and five representatives, it was approved and ordered sent to the late Governor. Allen was evidently so disgusted with it, he did not vote. The address was brief and closed with:

The Representatives of the people of *Vermont*, upon this occasion request your Honor to accept, for your past services, all that a noble and generous mind can give, or wish to receive, *their gratitude and warmest thanks*: and it is their earnest wish, that, in your advanced age, and retirement from the arduous task of public life, you may enjoy all the blessings of domestic ease.¹

Chittenden was only fifty-nine and undoubtedly smiled at their stressing his advanced age and retirement. They learned more about him during the next eight years. A week after the address they voted the 'Honor. Thomas Chittenden . . . fifty pounds for past services, in addition to his last year's salary.' Neither Allen nor Chittenden ceased to serve the State they had founded.

¹ *Vermont, Assembly Journal*, 1789, p. 29.



JERUSHA ENOS ALLEN
At about forty

The ex-Governor was called on to lay before the House such information as he had regarding Vermont's entrance into the Federal Union. This Mr. Chittenden did October 14. On October 16, 'the late Agents to Congress verbally reported their proceedings in the business of their Mission.' In committee of the Council and House that same day, it was voted to appoint seven commissioners to represent Vermont in the negotiation with New York in respect to relinquishing her claim to the territory comprising Vermont.

On the next day Ira Allen, Isaac Tichenor, Stephen R. Bradley, Nathaniel Chipman, Elijah Paine, Stephen Jacob, and Israel Smith were elected commissioners and given full power to act. These were supposed to be among the ablest men in the State; and it is a tribute to Allen that a hostile Council and Assembly should have placed him on this important commission. A majority were his political enemies, but they must have felt unwilling to dispense with his knowledge of all the early controversies and his acknowledged ability in negotiation.

The Vermont Treasury was in another condition now than formerly. One of the first things the House did was to inquire into the state of the Treasury. A resolution was passed, on October 27, that hereafter the Treasurer 'bring blank warrants for taxes with him to the Assembly.' The members evidently were willing to take warrants if they could not obtain cash. As the last days of the session approached, the membership had dwindled. Those remaining, 'Resolved, That the Treasurer be, and he is hereby directed to pay ten shillings and six pence, hard money, to each person made up in the debenture [payroll] of the Council or Assembly, that are present at this time, out of the hard money now in the treasury.' They were at least going to get something to pay their expenses, although almost half the members had departed.

At the request of the House, Tichenor, as Auditor of Public Accounts, reported on the 12th, '*that upon the Treasurer's books the balance due from this State, is four thousand four hundred and forty seven pounds six shillings and three pence.*' Just before adjournment it was

' Resolved, That the Auditor of public accounts be, and hereby is directed to credit all accounts between Ira Allen, Esquire, and the State of Vermont, that remain unsettled, except said *Allen's* ac-

counts as late Surveyor General, — and that said Auditor be directed to cast interest both for and against the State, and if there should be a balance due to the State, to report the same to the next session of the Assembly; and if there be a balance due to said Allen, the Auditor is directed to draw an order on the Treasurer of this State for such a balance due; and the Treasurer is directed to pay the same in State notes to said *Allen*.

Allen knew how to handle a hostile Assembly; he could wait and in the meantime work; the day before adjournment a bill he favored regarding listers was passed by a vote of thirty-four to twenty-four. There was an attempt to establish the 'ancient' lines between some of the towns, but it was defeated. When the committee which had been appointed to suggest changes in the present laws reported, their report favored the repeal of many important laws passed since 1782 authorizing the surveys of towns and the building of roads, especially in the northern part of the State. This report was accepted. Allen's adversaries in the Council again brought in the bill to enlarge Addison County, but it was again defeated by a vote of fifty-four to twenty-two.

Tichenor had failed in his attempts to prove that Allen had embezzled State funds, so he now proposed to take advantage of the general discontent about the surveys of many of the towns in the State. The question of surveys came up on October 19. The town of Marshfield petitioned for relief from paying the assessment levied by the Council for surveying that town. The committee having the petition under consideration reported that it did not appear to them that the cost had been more than one half the amount assessed, and recommended that the Assembly appoint a commission 'to re-examine and adjust the late Surveyor-General's accounts against the State.' Although Allen's accounts had been passed and settled, this report was accepted. Then the Council was called in and the matter was debated, after which the Council 'was requested to exhibit a stating of his accounts to-morrow.' The next day Mr. Tichenor appeared before the House and made a statement of the Council's method of settling the Surveyor-General's accounts. 'After which Mr. Allen gave a short statement of his proceedings while in that office.' Tichenor then moved that a commission be appointed 'to settle and fully adjust all the accounts of *Ira Allen*, Esquire as late Surveyor-

General.' A bill was prepared and sent to the Council and on October 23, Tichenor took the bill into the House, amended by leaving off the last two paragraphs. Allen 'moved for liberty to be heard by himself and Counsel.' It was then resolved that three commissioners be appointed and also that a committee be appointed to draw a bill 'defining the powers of commissioners to be appointed.' Allen succeeded in having his nephew by marriage, Samuel Hitchcock, a lawyer, appointed on this committee.

A bill was again sent to the Council, but was again referred back to the House with amendments by Tichenor, 'which were read and non-concurred.' It was later amended three times and just before adjournment 'passed into a law of the State.' Gideon Olin, Roswell Hopkins, and Elijah Paine were the commissioners. Olin was from Shaftsbury and was Speaker, Hopkins was Clerk of the House, while Paine, who had opposed Allen many times, was from Williamstown on the east side of the range.

The Council had issued a charter for the town of Coventry in 1788 to Elias Buel and Allen had gone on his bond. The Assembly directed the Treasurer to obtain the bond from the late Governor and 'take all necessary measures for the speedy collection of it.'

In the arrangement of business for the Assembly, Allen had managed to have the fifth article read: 'That some mode be adopted for the fixing a place for the erection of a college in this State.' On the 12th it was read and passed over. On the 14th Allen induced the House to agree to consider it before any other business on the following day. On the following day, before both the Council and House, 'Colonel Ira Allen presented a memorial, with a number of subscriptions annexed, amounting to five thousand six hundred and forty three pounds twelve shillings, praying that a College may be erected in Burlington, in the county of Chittenden; said subscriptions to be laid out for the benefit of said College.'¹ The grand committee recommended the House to appoint a committee to draft a constitution and government of a college and take measures 'for fixing on the place for erecting a College, during the present session.'

The House at once took the recommendation under con-

¹ Appendix, 1789.

sideration and appointed a committee of two members from each county to nominate a committee 'for drafting a Constitution for a College.' The first-named committee was also to appoint a committee to receive 'absolute donations and particular subscriptions for a College; and make report to the next session of the Legislature.' The members of the committee selected to draft the constitution were Nathaniel Chipman, Elijah Paine, Israel Smith, Samuel Hitchcock, and Stephen Jacob, to be joined by Isaac Tichenor from the Council: by no means a friendly committee to Allen, or Burlington. The committee selected to receive subscriptions consisted of Ira Allen, Gideon Olin, Samuel Williams, Rutland, Gamaliel Painter, of Middlebury, who later was one of the founders of Middlebury College, Luke Knowlton, of Newfane, Calvin Parkhurst, of Royalton, and Elijah Paine, of Williamstown; the last-named wanted a college there and had offered to give two thousand pounds toward it. It is doubtful if one of these men would receive a subscription for a college to be located at Burlington whose population at this time was only three hundred inhabitants. The population of the State in 1789 was estimated at from forty to seventy thousand, but only 2865 votes were cast at the election, which indicates the slight interest taken in State matters by these frontier people. Allen's subscription of four thousand pounds was to be paid as specified in his Memorial. Chittenden's and Spafford's subscriptions of two hundred pounds each were to be paid 'one half in provisions, labour and materials for building and the other in new lands.' This was a wonderful thing to do during this famine year, but Allen and Chittenden had decided on it before election and Chittenden's defeat did not swerve them. The session adjourned on October 29. They voted to pay the late Governor in lawful money, but passed a resolution directing the Treasury to pay the present Governor now one hundred pounds in hard money.

While Allen was not in favor, he was placed on many of the important committees. Most of the acts that he opposed were defeated. His ability in handling men was never shown to greater advantage than during this session. Long afterwards he wrote regarding the bill Tichenor introduced to set aside the settlement of his accounts as Surveyor-General, that in the bill the collectors of taxes were prohibited from paying

any money to him from that date. Allen was in a committee meeting when the bill was introduced in the House from the Council; he returned to the House and requested to have the bill referred back, stating he thought it could be amended to satisfy all parties. This was done. Allen appeared before the committee and finally agreed to the bill with a clause added, which provided for interest on his disbursements and which brought him some £672, which he had not requested in his former settlement. 'The [tax] Collectors would not take a discharge from the Commissioners, when the Commissioners signed a written request to Mr. Allen to discharge the collectors. Mr. Allen then settled with the Collectors, received the money and discharged them.' When he made the new settlement and was allowed the £672, he only produced the same papers he had settled with before. 'The State had also to pay the Commissioners. Was this, Mr. Tichenor's and other office-hunters economy for the State?'¹ The last act of the Assembly just before they adjourned was put through by him; it provided 'that all grants of land in this State, which have been made by resolutions of the General Assembly, previous to the present session, shall be good and valid in law, to all intents and purposes, as if the same had been made by act of the Legislature.'²

Levi continued writing letters from London, but Ira had been too busy to answer many of them. Levi wrote he felt sure he could get Parliament to allow a canal to be built between Lake Champlain and the St. Lawrence River and could get a grant of money for this purpose, as well as obtain a stock of goods to bring back. He requested Ira to value the glebe lands in Vermont belonging to the Society for the Propagation of the Gospel; he thought they could buy them cheap, as the Society was fearful they would be taken by the State. He again urged Ira to send him a commission as foreign agent to London. Allen answered that there had been a

revolution, Judge Robinson is in the chair of government. Several of the council are changed; for me to attempt to convene the Council of the south of the State with their prejudices is not worth the attempt. Will see what can be done as to the other matters as soon as possible, but I am soon to close all accounts with the State in virtue

¹ *Allen's Statements, Olive Branch* (Philadelphia, July, 1807), p. 4.

² *Vermont Laws*, 1789, p. 19.

of a special act I obtained last session for that purpose which makes me very busy.

He wrote that he would have to go to New York City this winter to settle the boundary dispute with New York.

The scarcity of provisions throughout America as well as here last summer has much stagnated business; have lately got my mills here properly in motion . . . have a saw mill compleated in Georgia a few days since, shall soon have another compleated in Shelburn, but these are intended for country work . . . have contracted for a dam to be built accross the river Mississqui next Spring and one saw mill to be built to it in the summer.¹

Thus closed the year 1789 with his marriage when he was thirty-eight years old, and his offer to found a university, which he accomplished two years later.

¹ *Stevens Papers*, New York State Library; Wilbur Photostats, Library of Congress and University of Vermont.

CHAPTER XVIII

NEW YORK BOUNDARY SETTLEMENT — SURVEYOR- GENERAL'S ACCOUNTS

1790

LEVI ALLEN in London was having varied experiences, among them a coffee-house encounter with a Major Jessup who made a slighting remark about Americans. Levi warmly resented it and challenged the Major to a duel, threatening, at the same time, to post him as a coward should he refuse to fight. The Major did not respond to the challenge, and Levi's boldness gained him many friends, although the Government officials were not pleased, and cautioned him. In writing home about the incident, Levi said: 'If I had not have challenged Major Jessup, I should have been damed to everlasting infamy.'

But though Levi was strenuously upholding the honor of America, he was doomed to disappointment in the matter of becoming agent of Vermont. Ira, on January 4, wrote him:

I doubt not you will be disappointed at the contents of this Packet, the revolution of officers of government in this state puts it out of my power to answer your wishes, especially as I did not receive it till the 16. Dec^r last; a complete view of all matters, think it advisable for you not to extend your views too far. I am more confining business to . . . less . . . and more certainty, my attention ought for the most part to be on settling my lands, as you know, I have several towns that I mean to put on annual rents. Two thousand pounds sterling is as large an assortment of goods as I could wish for, those could be paid for next Spring in lumber. . . . As to a canal, it will be effected, but whether now, or a future age, is uncertain.¹

The committee to settle the accounts of Allen as Surveyor-General made its report February 6.² They found that there was due him for surveys £791-8-7,³ and that the Council had given him the right to dispose of the whole of the town of Woodbridge and thirty-five rights in Carthage for nine pounds

¹ *Stevens Papers*, New York State Library; Wilbur Photostats, Library of Congress and University of Vermont.

² *Vermont Journal*, Windsor, March 10, 1790.

³ *Stevens Papers*, New York State Library; Wilbur Photostats, Library of Congress and University of Vermont.

per right. This finding exonerated Allen completely and exposed the injustice done him and Chittenden at the October session of the 1789 Legislature.

Allen was detained in Bennington until February 11, so was not able to attend the first meeting between the Vermont and New York commissioners, which was held at the City Tavern in New York City at six o'clock in the afternoon on February 9. One of the New York commissioners, Rufus King, was destined to play an important part in Allen's life at a later period. On February 13, the Vermont commissioners refused to negotiate further, claiming the New York commissioners were empowered to treat on only two points, the settlement of the boundary and the removal of objections to the admission of Vermont into the Union. They had no power to annul the New York patents. The Vermont commissioners desired to settle with New York as a State for all the land claimed under charters issued by New York which would force claimants to look to that State for redress. If this point was not settled, claimants could go into the Federal Courts, with endless litigation as the result.

The New York commissioners referred the matter to the Legislature of that State, which was in session, and on March 6, a law was passed giving a new commission full powers. A few days later the New York commissioners questioned the power of the Vermont commissioners to enter into an agreement to pay a sum of money to New York. The negotiations were discontinued, the two commissions agreeing to a future meeting at Stockbridge, Massachusetts, in July; the Vermont commission had been in New York City one month. The New York commissioners attended at Stockbridge, but the Vermont commissioners did not appear. By correspondence they agreed to meet the New-Yorkers either at Bennington or New York City on September 27. The negotiation was finished October 7, New York agreeing to accept thirty thousand dollars from Vermont as full compensation for all claims under New York charters. This sum probably paid from one fourth to one third the sum paid for the lands granted by New York.

The bargain was made by our [New York] politicians to obtain a new state to overbalance southern influence, and in this paramount

object with them compensation to the comparatively few land-owners among her citizens was almost entirely overlooked.¹

The astute James Duane, who had paid upwards of eight thousand dollars and whose heirs received only \$2621.29 of the thirty thousand dollars, was not so powerful as formerly. He, at the urgent request of Washington, had accepted an appointment as Federal Judge. John Jay and others were granted large tracts of land in Vermont for their services in making this settlement.² Allen wrote of this settlement, '\$30,000, with good management, cancelled grants from the late colony of New York, for about 5,000,000 acres of land, after a spirited dispute of twenty-six years.'³

A committee, appointed by the Canadian Parliament on 'Inland Commerce and Navigation' to take into consideration the petition to 'authorize the importation of pig and bar iron into this Province,' reported to Lord Dorchester on February 17, and recommended granting the petition. They also recommended making it possible for the Vermonters to ship direct to England without paying the export duty levied by Quebec. They went exhaustively into the subject and one of their predictions has proved its far-sightedness: 'Ages will elapse, if Britain acts cautiously, before either the Marine or the manufactures of the American States can interfere with hers.'⁴

Joseph Allen had made a failure of Levi's business in St. John's and wrote to Ira for help. Ira offered him a house and employment in Burlington and in March Joseph accepted the offer and promised to come as soon as the ice would permit.⁵

Notwithstanding Allen had refused to consent to the marriage of Remember Baker's only daughter to Abel Allis, he received the following letter from that gentleman written, as stated in a postscript, at her request:

MANCHESTER, March 7, 1790.

HON^D SIR: You doubtless have been made acquainted with my address to Miss Baker. As they were ever honorable and virtuous —

¹ *Memoir of James Duane*, by Samuel W. Jones, in *Documentary History of New York*, vol. 4, p. 1068.

² Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 3, p. 513.

³ Allen's *History of Vermont* (London, 1798), p. 250.

⁴ *Canadian Archives*, Q-45-1, pp. 16, 21; copy in University of Vermont.

⁵ *Stevens Papers*, New York State Library; Wilbur Photostats, Library of Congress and University of Vermont.

I have the satisfaction to assure you — they are doubly rewarded by her generous heart. Next Monday she has engaged to give me her hand. We beg your indulgent guardianship and blessing — and hope never to conduct unworthy of your friendship. I remain with the highest esteem and respect, Your most Ob^d &c.¹

Another Baker difficulty arrived at the same time as this wedding in the shape of a letter from Ozi Baker, Remember's only son, saying he was in jail for a small debt in Arlington, and asking Allen to pay the debt. 'Am determined not to depart from it [Allen's advice] hereafter.'² Ira Allen did not consent to Miss Rema Baker's marriage, but it took place and Allis became a thorn in his side ever after.³

During the month of April the British Ministry discussed the advisability of a treaty with Vermont.⁴ There was prospect of a war with Spain and as Britain still held the western frontier posts in America, and Spain controlled the Mississippi River and adjacent territory, it was important for Britannia that she should know what would be the attitude of the United States in such a contest.

The British Minister secretly wrote Dorchester, May 6:

The friendship of the Inhabitants of Vermont would, under the circumstances of any alarm from the side of the United States, be of the greatest importance, and Your Lordship's attention cannot be too much directed to this object. I have had some communication with Mr. Levi Allen, who has been some time in this country with authority to treat on their behalf for commercial arrangements. . . . Such encouragement has been given to Mr. Allen as will I hope dispose him to exert any influence which he or his connections may possess in whatever manner Your Lordship may think proper to direct it.⁵

The Privy Council made a long report on April 17, mostly devoted to Vermont, but giving the English policy toward America. Levi Allen's name appears many times. They understood Hamilton, Jay, and other Federalists were endeavoring to make Vermont a part of the Union to offset the entrance of Kentucky, which the Southern States were trying to compass.⁶ Historians are still quoting these letters to prove

¹ *Stevens Papers*, New York State Library; Wilbur Photostats, No. 107, Library of Congress and University of Vermont.

² *Ibid.*, Wilbur Photostats, No. 108.

³ *Ibid.*, Wilbur Photostats, No. 116.

⁴ *Canadian Archives*, Q-49, p. 198.

⁵ *Ibid.*, Q-44-1, p. 87; *ibid.*, Report, 1890, p. 132.

⁶ *English Policy toward America, 1790-1791*, pp. 78, 89.

that Vermont was negotiating to join Great Britain in 1790, and had an agent in the person of Levi Allen. Levi had no authority whatever and no one in Vermont knew what he was doing. He was working for Ira, commercially.

Levi had been obliged to conceal himself in London to keep out of jail, but he finally obtained sufficient backing to work openly. General Simcoe, who was in London, did more for him than any one. On April 12, Levi wrote:

I shall leave England as nigh as I can at present say next month and thank Almighty God after all the opposition, bring out a vessel of 300 ton measurement . . . procure thirty or forty ton of Pot and Pearl ashes . . . will take up but little room . . . in the bottom of the hold.

His figures are interesting as disclosing the impossibility of paying for a shipload of merchandise with a return cargo of lumber:

300 tons of oak 12,000 feet at 1/9 per foot is	£1050
Inch boards or Calculated as such, 144 M feet at £6 per M is	864
	£1914
30 Tons Potash at £30. is	£ 900
10 Tons Pearl ash at £42. is	£ 420

All in sterling money. . . . I pray to all the Christians and Heathen Gods for success and hope after arrival there will be no delay in loading the ship for the charter party will not be less than £100. Sterling per Month and damage, will not only ruin our pockets but characters for all will say there is no dependence on the Vermonters which is the general opinion here already. I might add all America.¹

Another letter, dated May 13, reads:

I can not tell the day I shall sail with a cargo for William Henry as an embargo is laid here, and no doubt in all the ports in England, on acct of a rupture with Spain. . . . Insurance is rising . . . but that will not stop me a moment.

He then gave detailed instructions about sawing all lumber. From Liverpool on July 22, he wrote he expected to sail from that port on August 7th — '8000 bu. of salt is on board and a good assortment of goods £2500 value sterling.' He is fearful the return cargo will not be ready. In which case he will be 'Completely damed.' He again urges that Ira buy up all the pearl and pot ashes and wheat that can be procured. 'Lumber

¹ *Stevens Papers*, New York State Library; Wilbur Photostats, No. 114, Library of Congress and University of Vermont.

alone will make but a poor showing. For God's sake, Vermont's, the Family and all Friends to our Israel, let me not die of disappointment after I arrive, but let cargo be ready at William Henry.' Levi never arrived at William Henry, and if Ira assembled the return cargo he must have suffered a considerable loss. Levi did not sail as soon as he expected, and when he reached the mouth of the St. Lawrence River, the captain refused to enter, fearing he would be frozen in all winter. Levi finally decided to land the cargo in the South and the ship entered Charleston, South Carolina, harbor December 5, 1790. The failure to land the goods in or near Vermont does not detract from Levi's business ability in obtaining them entirely on credit. The desire of the English Government to stand well with the people of Vermont, with Levi's letter of introduction, obtained a recognition for him and confidential treatment of a sort that quite likely favored his efforts in establishing so large a credit. His failure to arrive earlier, or to arrive near Vermont, could not be ascribed to him, but it was a great disappointment and undoubtedly involved Ira in additional financial embarrassment.

In addition to Ira Allen's own involved interests, owing to the failure of the crops the previous year, he was called upon to take care of Levi's notes and speculations in land.¹ All the old settlers, in trouble, went to him for assistance; none realizing that his situation was similar to theirs and on a much larger scale. Many who were in debt to him paid him with horses and cattle which they could not feed. Feed was as scarce with him, but he took the animals.

Samuel Williams, of Rutland, wrote Allen on May 1, regarding the University.² He stated that he had received a letter from the President of the Royal Society of London offering to give its publications to a university in Vermont. Williams, who was one of those appointed to receive subscriptions, wrote to Allen:

I fear I shall not be able to procure much assistance to such a design, in these parts. If you are disposed to make a serious attempt to have it established with you, it will be necessary: 1. To increase the number of representatives from Chittenden county as much as may be. 2. To procure as many subscriptions as you can from Addison and your own county. 3. To obtain subscriptions and peti-

¹ *Stevens Papers*, New York State Library; Wilbur Photostats, No. 132.

² *Ibid.*

tions from the settlements in New York as many as possible. 4. A similar one from lower part of Canada. . . . It will take up so much time to manage these affairs that I am apprehensive it will scarcely be in your power to attend to them.

To assist Allen he sent a form of petition to use in New York and Canada. He pointed out that it would require at least sixty votes in the Assembly to put it through and Addison and Chittenden counties had only thirty-one.

It will be unavoidably necessary to spend considerable [time to] adjust circumstances and to know what assistance [you] may depend upon, and, as you never can have a more favorable time than the next Assembly, nothing ought to be omitted that can be done to insure success. As I do not wish to make myself enemies in any part of the state, the above is *confidential*.

Williams, living in Rutland, could not have it known that he was helping Allen to establish a college in Burlington. The effort to erect the State University in Burlington provoked a contest as determined as that ever since waged to prevent the location of a State normal school in that place. Busy as he was with his financial affairs, Allen spent much time working for Chittenden's election as Governor and in obtaining subscriptions and votes for the university. In June some lightening of the pressure became evident when the Council, at a special meeting, accepted and placed on record the settlement made with Allen as Surveyor-General. They also assessed the towns to raise the money to pay Allen.¹

On July 19, a son was born to Ira Allen and named Ira Hayden Allen; Hayden being the maiden name of his wife's mother. A minor detail in a busy life at this time has value. Ira Allen was educating his sister's son, John Finch, at Dartmouth College, and when John, favorably impressed by the commencement at Harvard, asked his uncle for permission to finish his education there, the tuition being but a trifle more,² he at once gave his consent.

Fraser & Young wrote, September 18, from Quebec, that they were disappointed in the quantity of lumber he had shipped to them to settle his account, but, as few vessels had come to Quebec this season, to enable them to export, they

¹ Vermont, *Records of the Governor and Council* (Montpelier, 1873), vol. 3, p. 202.

² *Stevens Papers*, New York State Library; Wilbur Photostats, No. 127, Library of Congress and University of Vermont.

would extend the time for payment of his account to July next.¹

The annual election and session of the Council and Legislature was held at Castleton, October 14. Thomas Chittenden was elected Governor by a majority of about thirteen hundred.² Whether Chittenden was not sure of his election or whether he wanted to show his indifference by remaining at home is not revealed. He compelled the Assembly to send a messenger to Williston to notify him before he would set out for Castleton. When he arrived, on the 20th, he was escorted into town with the usual military force and evidently enjoyed the chagrin of those who hoped they could retire him permanently to private life. Allen, as usual, was a member from Colchester. The settlement with New York was approved and a convention called to enable the people of the State to ratify the Constitution of the United States. On the 26th, the House 'took under consideration the report of the Commissioners appointed to settle the accounts of Ira Allen, Esquire, late Surveyor-General.' It was read and ordered to lie on the table. On the 27th the report was read again in the House. On the morning of the 28th, 'Ira Allen, Esquire, was chosen Brigadier-General of the seventh Brigade,' and in the afternoon he was promoted to Major-General of the third division. The settlement of his accounts was not again mentioned. During the session Allen introduced the subject of the university, but the attention of the Assembly was fixed upon the settlement with New York and the question of joining the Federal Union.

This year had been one of the busiest of Allen's life. Business of all kinds engrossed his attention and much of his time was given to drawing up legal papers, buying, selling, and leasing lands, defending lawsuits, mostly against others, but with him as a party because he had gone on bonds during the early days of Vermont's struggle for independence.

¹ *Stevens Papers*, New York State Library; Wilbur Photostats, No. 131, Library of Congress and University of Vermont.

² *Vermont Gazette*, October 18, 1790.

